

Dept 2: The Honorable Judge David E. Gregerson

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Scott G. Weber, Clerk, Clark Co

SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF CLARK

Joanna Lang, individually and as personal
representative of the Estate Dick Lang, wife
and husband and the marital community; and
Joanna Lang, as guardian and parent of the
minor children R.L. and C.L.,

Plaintiffs,

v.

Cheryl Strange, individually and as
Secretary of the Washington State
Department of Social and Health Services
(DSHS),

David Stillman, individually and as Assistant
Secretary of the Economic Services
Administration (ESA) at DSHS,

Dana Phelps, individually and as Assistant
Secretary of the Services and Enterprise
Support Administration (SESA) at DSHS,

Terry Redmon, individually and as Interim
Director of Vocational Rehabilitation at
DSHS,

Jane and John Does 1 through 10,
individually and as employees at DSHS,

Clark County, Washington

City of Vancouver, Washington, a

Case No.: 21-2-00330-06

COMPLAINT FOR DAMAGES AND
INJUNCTIVE RELIEF

COMPLAINT - 1

Kevin L. Johnson, P.S.
Attorney & Counselor at Law
West Side Business Plaza
1405 Harrison Ave NW, Suite 204
Olympia, Washington 98502
(360) 753-3066

PMC

Municipality

Cowlitz County, Washington

City of Kelso, Washington, a Municipality,

Dan Hsieh, individually and as Assistant
Attorney General of Washington State,

Eimiko Murlin and Jeff Ian Murlin,
individually and as a marital community, as
foster parents of C.L.,

and

Steve Vallembois and Jimmy Howard,
individually, as foster parents of R.L.,

Defendants.

I. INTRODUCTION

COME NOW the above-named Plaintiffs, by and through their attorney of record, KEVIN L. JOHNSON, P.S., Attorney & Counselor at Law, and for causes of action against the above-named Defendants, and state as follows:

1. This is a civil action commenced to vindicate the rights of Plaintiffs Joanna Lang and her late husband Dick Lang, as a community and as parents of the minor children R.L and C.L.

2. Plaintiffs sued Defendants here because, due to actions by employees of the Washington Department of Social and Health Services (DSHS) and the Washington Attorney General's Office who ignored their legal obligations, Plaintiffs lost the comfort, love, care, and companionship of their children for 425 days and their children, who have special needs, were neglected, and abused in foster care.

3. Defendants acted under color of law with the authority of a state agency, in accordance with the policies, customs, and practices of that agency. Instead of honoring familial

COMPLAINT - 2

KEVIN L. JOHNSON, P.S.
Attorney & Counselor at Law
West Side Business Plaza
1405 Harrison Ave NW, Suite 204
Olympia, Washington 98502
(360) 753-3066

relationships as required, Defendants: deprived Plaintiffs of their right to due process under the United States Constitution and the Washington Constitution; negligently removed the children from a non-abusive home and placed them in abusive homes; committed fraud; defamed Plaintiff Joanna Lang; wrongfully caused the death of Dick Lang; unlawfully discriminated against the Plaintiffs based on race; and engaged in illegal racketeering. All these actions resulted in irreparable injury to Plaintiffs.

II. JURISDICTION AND VENUE

4. Plaintiffs filed the required claim forms with the Office of Risk Management and waited sixty days before commencing this suit as required under RCW 4.92.100 and 4.92.110. Exhibits A, B, C & D.

5. The Office of Risk Management and the Attorney General are required to collaborate in the investigation, denial, or settlement of such claims. RCW 4.92.210. To date, the State of Washington has not communicated with the Plaintiffs to resolve Plaintiffs' claims. Having no prospects of resolution from the State of Washington, Plaintiffs filed this lawsuit.

6. Plaintiffs allege violations of their state and federal constitutional due process rights, 42 U.S.C. § 1983; negligent investigation causing exposure to neglect and maltreatment, RCW 26.44.050; fraud; defamation; wrongful death, RCW 4.20.010; discrimination, 42 U.S.C. § 2000d et seq., RCW 49.60.030; civil violation of the Racketeer Influenced and Corrupt Organization (RICO) Law, 18 U.S.C. §§ 1961-1968. Plaintiffs seek damages and injunctive relief.

7. All acts by the Defendants arose in Clark and Cowlitz Counties in Washington within the jurisdiction of this Superior Court. Upon information and belief, all Defendants are located,

1 reside, or do business in Washington, and all the events or omissions giving rise to Plaintiffs'
2 claims occurred in Washington.

3 4 III. PARTIES

5 8. At all relevant times, Plaintiff Joanna Lang, who is the personal representative of the
6 estate of her late husband Dick Lang and the mother of the minor children C.L. and R.L.,
7 resided in Vancouver, Clark County, Washington.

8
9 9. Defendant Clark County is a local government entity in the State of Washington.

10 10. Defendant Cowlitz County is a local government entity in the State of Washington.

11 11. Defendant City of Vancouver is a municipality in the State of Washington.

12 12. Defendant City of Kelso is a municipality in the State of Washington.

13
14 13. Upon information and belief, at all relevant times, Defendant Cheryl Strange ("Strange")
15 was Secretary of DSHS, located in Olympia, Washington, acting under color of law in
16 accordance with DSHS practices and customs, and exercised ultimate supervisory power over
17 all DSHS employees. Strange had final responsibility for all policies, practices, and decisions of
18 DSHS.
19

20
21 14. Upon information and belief, at all relevant times, Defendant David Stillman
22 ("Stillman") was DSHS Assistant Secretary of the Economic Services Administration (ESA) at
23 DSHS. At all relevant times, Stillman was acting under color of law in accordance with the
24 policies of DSHS, was working under the direction of Defendant Strange, and was exercising
25 power granted to him by virtue of his work for DSHS and Strange.
26

27 15. Upon information and belief, at all relevant times, Defendant Dana Phelps ("Phelps")
28 was DSHS Assistant Secretary of Services and Enterprise Support (SESA). At all relevant
29 times, Phelps was acting under color of law in accordance with the policies of DSHS, was
30

1 working under the direction of Defendant Strange, and was exercising power granted to her by
2 virtue of her work for DSHS and Strange.

3
4 16. Upon information and belief, at all relevant times, Defendant Terry Redman
5 (“Redman”) was DSHS Interim Director of Vocational Rehabilitation Services. At all relevant
6 times, Redman was acting under color of law in accordance with the policies of DSHS, was
7 working under the direction of Defendant Strange, and was exercising power granted to him by
8 virtue of his work for DSHS and Strange.

9
10 17. Upon information and belief, at all relevant times, Defendants Jane and John Does 1
11 through 10, were DSHS employees or agents, acting under color of law in accordance with the
12 policies of DSHS, were working under direction of Defendant Strange, and were exercising
13 power granted to them by virtue of their work for DSHS and Strange.

14
15 18. Plaintiffs are informed and believe, and based upon such information and belief, allege
16 that, at all times mentioned herein, the above-mentioned individual defendants (collectively,
17 “DSHS Workers”) and each of them, were acting within the scope of their employment and
18 under color of law. Defendants DSHS Workers, in their collective capacity and as individuals,
19 acted with authority granted to them by Defendant Strange and DSHS.

20
21
22 19. Upon information and belief, at all relevant times, Defendant Dan Hsieh (“Hsieh”) was
23 an Assistant Attorney General for the Washington State Attorney General’s Office (AG). At all
24 relevant times Hsieh was acting under color of law in accordance with the policies of the AG,
25 was working under the direction of the AG, and was exercising power granted to him by virtue
26 of his work for the AG.
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20. Upon information and belief, at all relevant times, Defendants Steve Vallembois (“Vallembois”) and Jimmy Howard (“Howard”), former foster care parents of R.L., resided in Vancouver.

21. Upon information and belief, at all relevant times, Eimiko Murlin and Jeff Ian Murlin (the “Murlins”), former foster care parents for C.L., resided in Kelso, Washington.

22. Plaintiffs are informed and believe, and thereupon allege, that each of the individual Defendants knowingly and willingly, acting under color of law, individually and collectively, did injure Plaintiffs, and deprive Plaintiffs of their rights, liberties, and interests in the comfort, care, and association of/with their children C.L. and R.L., as such rights are afforded them under the Washington State Constitution, Washington statutory law, and the United States Constitution, and conspired generally to damage Plaintiffs and inflict great injury upon them.

IV. STATEMENT OF THE CASE

23. The Washington Legislature has declared that the family unit is a fundamental resource of American life which should be nurtured. RCW 13.34.020. Under this guiding principle, “the family unit should remain intact unless a child’s right to conditions of basic nurture, health, or safety is jeopardized.” *Id.* Furthermore, “the bond between a child and his or her parent . . . is of paramount importance, and any intervention into the life of a child is also an intervention into the life of the parent.” RCW 26.44.010.

24. For over 30 years, Dick and Joanna Lang opened their hearts and home to adopt minority special needs children because that was their calling. The Langs felt that too many minority special needs children go unclaimed. In 2013, Dick and Joanna adopted R.L. and C.L. into their home, a loving and nurturing environment that was in the best interests of the children.

25. The Defendants destroyed the Langs' stable and nurturing home environment on the night of February 3, 2017, under color of law and without justification, when they seized the Langs' children, placed the children in separate foster homes where they were abused and neglected, and kept them away from the Langs for 425 days.

V. FACTUAL ALLEGATIONS

26. Dick and Joanna Lang adopted C.L. and R.L. in 2011 and 2013 respectfully. The Langs are white and Jewish. C.L. and R.L. are minority children with special needs. C.L., who was born in 2011, suffers from Fragile X syndrome. R.L., who was born in 2003, suffers from intellectual disability. Exhibit E.

27. On January 4, 2017, and February 1, 2017, DSHS Child Protective Services (DSHS-CPS) received telephone referrals alleging that the Langs mistreated R.L. The telephone referrals were from Holly Lang, a mentally ill family member. Exhibit 1, Intake # 3534736, Exhibit 2.

28. DSHS Workers and the Vancouver Police Department knew about Holly Lang's incompetence and mental health issues since July 2012. Exhibit 3. Holly Lang's incompetence became official in October of 2017. Exhibit 1. But the information concerning Holly Lang's incompetence was never mentioned by the DSHS supervisor in charge of the investigation into the Langs, who authored and published the final decision of DSHS-CPS. Exhibit 2.

29. Vancouver City Police Officer Kim Holland interviewed Holly Lang by telephone on March 16, 2017, but Holly stated that "she did not want to cooperate" with the investigation. A DSHS Worker followed up with her, but later informed Officer Holland that Holly "was not comfortable with cooperating" with law enforcement. Exhibit 3.

30. The DSHS Worker provided Officer Holland with contact information for other Lang family members, Random Lang, and Wendy Lang, whom she indicated may have had recent contact with R.L. Officer Holland was unable to reach them. Officer Holland attempted to contact Wendy Lang on several occasions but was unable to determine her location. Id.

31. Wendy Lang, who also resides in Montana, was not in Washington between January 4, 2017 and February 1, 2017, making her, like Holly Lang, an incompetent referent regarding conditions in the Lang home at those times. Based on these records, the DSHS Workers and Vancouver Police Department knew that the witnesses were not eyewitnesses to the conditions in the Lang home or the treatment of R.L. and C.L. Id.

32. Officer Holland reported that there appeared to have been an initial concern by several family members regarding R.L., but that Officer Holland was unable to elicit any cooperation from them. Id.

33. Plaintiff Joanna Lang took R.L. to see his regular pediatrician, Dr. Charles Fuchs, on February 2, 2017. Dr. Fuchs did not report any issues with R.L. The DSHS Workers knew of this visit. *See* Joanna Lang Affidavit ¶¶ 11-13. Exhibit 5. In fact, Dr. Fuchs discussed R.L.'s weight issues. Exhibit 6. Dr. Fuchs possesses sufficient medical expertise to recognize a child who is suffering from negligent treatment or maltreatment.

34. DSHS Workers also took C.L. and R.L. to Legacy Salmon Creek Medical Center in for a "child abuse specific" examination by Dr. Vounq on February 3, 2017, although neither child had any signs of abuse or any other medical concerns. Dr. Vounq determined that both C.L. and R.L. were safe to return home. Exhibits 7 & 8.

35. The medical reports show that DSHS Workers relayed to Dr. Vounq that Joanna Lang had "mental problems and possible neglect in caring for R.L. and C.L." Id. According to Dr.

1 Young and Dr. Fuchs, reports these statements made by DSHS regarding Joanna Lang were
2 false. *Id.*

3
4 36. Despite the lack of evidence of abuse, DSHS Workers, acting in their official capacities,
5 seized R.L. and C.L. and removed them from their home on February 3, 2017.

6 37. On February 3, 2017, Assistant Attorney General Hsieh filed a dependency petition
7 along with made an ex-parte motion and order to remove R.L. from his parents, supported by
8 declarations from DSHS Workers and the Vancouver Police Department. Exhibit 9 & 10.
9
10 Later, C.L. was added to the motion. Exhibit 11.

11 38. At the time of the motion, DSHS Workers and Hsieh knew about the exculpatory
12 evidence from Dr. Fuchs and Dr. Young opining that there were no concerns nor any reasonable
13 cause to believe that R.L. or C.L. was in imminent danger for suffered negligent treatment or
14 maltreatment. But Mr. Hsieh failed to present this evidence in every court proceeding after
15 February 3, 2017.
16
17

18 39. On February 3, 2017, the same day that C.L. and R.L. were snatched from their home,
19 DSHS Workers reported Joanna Lang to Adult Protective Services (APS) for alleged abuse of
20 her husband Dick Lang. But APS closed the file after deciding that there was no abuse and Mr.
21 Lang did not meet legal criteria of a vulnerable adult. Exhibit 12. Later, on June 11, 2018, the
22 Prosecutor's Office found that there was insufficient evidence to pursue successful prosecution
23 against Joanna Lang for abuse of Dick Lang. Exhibit 13.
24
25

26 40. Dr. Kimberly Copeland, who was involved with DSHS-CPS and the Vancouver Police
27 Department pursuant to a Clark County contract to provide medical services to DSHS,
28 evaluated R.L. in March 2017. Exhibit 14. Dr. Copeland's report indicated that R.L. gained 24
29 pounds in one month after he was removed from the Langs' home. *Id.* The report also stated
30

1 that R.L. disclosed being isolated in his bedroom daily, having to obtain permission and being
2 escorted to the restroom, having accidents due to the bathroom requests not being attended to,
3 daily hunger, and reduction in food portions. Dr. Copeland's report conflicted with Dr. Fuch's
4 report regarding R.L. she did not evaluate C.L. The Vancouver Police has this report in its
5 possession.
6

7 41. Dr. Copeland's report concluded that Joanna and Dick Lang failed to act in R.L.'s best
8 interests, failed to provide for R.L.'s needs, and showed a serious disregard for consequences to
9 R.L. of such magnitude that it created clear and present danger to R.L.'s health, welfare, and
10 safety. Dr. Copeland concluded that R.L. had been exposed to negligent treatment and
11 maltreatment. *Id.*
12

13 42. But Dr. Copeland's report was in direct contradiction the reports of Dr. Fuchs and Dr.
14 Young, the two independent physicians who treated and examined R.L. and C.L. earlier.
15

16 43. In a DSHS-CPS decision on April 3, 2017, DSHS-CPS supervisor Jennifer White
17 concluded that Joanna Lang had negligently treated, and maltreated R.L. Ms. White's decision
18 never mentioned C.L. Nor did it mention the opinions from Dr. Fuchs and Dr. Young that there
19 was no maltreatment and that the children were safe to go home. Exhibit 2.
20

21 44. DSHS Workers entered this erroneous decision about the Langs into the DSHS Case and
22 Management Information System (CAMIS), which made Plaintiffs ineligible to adopt or
23 provide foster care to children.
24

25 45. C.L. and R.L. were placed in separate foster homes with foster parents at whose hands
26 they experienced trauma and abuse.
27

28 46. DSHS placed R.L. with Defendant foster parents Vallembois and Howard February 3,
29 2017. On February 5, 2017, Howard stripped searched R.L. looking for injuries or bruises even
30

1 though Howard knew that R.L. had undergone a child abuse specific exam two days prior on
2 February 3, 2017.

3
4 47. One evening at a restaurant, while R.L. was living in the foster home, Vallembois
5 shouted at R.L., "If you were my kid, I would slap the shit out of you!"

6 48. On another occasion DSHS Foster Parents, Vallembois, and Howard led R.L. to believe
7 that he was going to a camp for foster kids. Vallembois and Howard took R.L. to Dr. Eisenfeld
8 who gave R.L. a shot before camp. Later, R.L. found out that the camp was for children or
9 family members with AIDS or HIV. Neither R.L. nor the Lang family have AIDS or HIV.
10
11 Exhibit 15.

12
13 49. Meanwhile, C.L. was placed with Defendant foster parents the Murlins. The Murlins left
14 C.L. and other foster children unsupervised when an 8-year-old foster child started a fire that
15 burned the Murlins' home. Because of the fire damage, C.L. had to reside with the Murlins and
16 other foster children (at least six other people in total) in motor homes and R.V.s where the
17 living space requirements fell well below the standard required by WAC 110-148-1470, even
18 allowing for emergency accommodation conditions. Exhibit 16. DSHS Workers knew that C.L.
19 was warehoused in an R.V. in overcrowded conditions and did not act on the situation.
20
21

22 50. Plaintiff Joanna Lang became afraid that the Murlins were going to kill C.L. She hired a
23 private investigator (Laura Anderson) to investigate the Murlins. The private investigator's
24 report was given to DSHS Workers who shared it with Cowlitz. Exhibit 16-A. DSHS Workers
25 who shared the report with Cowlitz failed to act to protect C.L. The investigator's report
26 indicated that the Murlins were observed traveling over 80 to 90 miles per hour with C.L. in the
27 automobile. Exhibit 16.
28
29
30

1 51. Photographs of C.L. taken during his residence with the Murlins reveal C.L.'s bones
2 protruding from his chest, ribs, and back, along with numerous other injuries. Exhibit 16, pgs.,
3 3,4,5.
4

5 52. Additionally, during the time that he was removed from his parents, C.L. should have
6 received a wheelchair, but C.L. never received it. Instead, DSHS-CPS gave C.L.'s wheelchair to
7 a Caucasian child. C.L. also never received a guide dog recommended by Dr. Fuchs. Exhibit 18.
8

9 53. On July 20, 2018 Dr. Fuchs prescribed a Guide Dog to help with recent emotional
10 trauma. Again DSHS failed to prescribe the Guide Dog. Exhibit 18-A.
11

12 54. On May 21, 2018, the Honorable Scott A. Collier denied the State's Dependency
13 Petition and R.L. and C.L. Exhibit 19.

14 55. R.L and C.L. were reunited with their parents on April 4, 2018, 425 days after DSHS
15 removed.
16

17 56. Sadly, on June 30, 2019, Mr. Lang succumbed to the stress of the ordeal and passed
18 away. Exhibit 20.

19 **VI. VIOLATION OF STATE AND FEDERAL CONSTITUTIONAL DUE PROCESS**
20 **RIGHTS, TITLE 42 U.S.C. § 1983**

21 57. Plaintiffs hereby incorporate all the allegations set forth in above in the paragraphs
22 above as if set forth fully herein.

23
24 58. At all relevant times, Defendants Strange and the DSHS Workers were employed by
25 DSHS, acted within the scope of their employment, acted consistently with the policy of DSHS,
26 and thus were acting under color of law. The actions of the Defendants, individually and in
27 concert, supported, aided, encouraged, reinforced, and protected the actions of other
28 Defendants. Additionally, at all relevant times Defendant Hsieh was employed by the AG, acted
29 within the scope of his employment, and thus was acting under color of law.
30

59. At all relevant times, Defendants Strange, the DSHS Workers, and Hsieh, acting individually and in concert, acted to deny Plaintiffs their rights guaranteed under RCW 26.44.010, which was designed to preserve families. Violations of Plaintiffs' rights deprived them of due process of law and thus are also violations of the Fourteenth Amendment of the United States Constitution and Article 1, Section 3 of the Washington Constitution.

60. DSHS has a duty under RCW 26.44.050 to adequately investigate a child's living situation before making a placement decision. However, the DSHS investigation here was unreasonable, negligent, and procedurally improper. The Defendants removed the children from a non-abusive home and placed them in abusive homes.

61. Contrary to their legal duty, the Defendants seized C.L. and R.L. from their home based on unverified referrals from an out of state referent who was known to be mentally ill, and in disregard of medical examinations by two doctors who found no evidence that the children were being abused. Additionally, DSHS Workers placed C.L. and R.L. with separate foster parents who maltreated and abused them. These failures violated Plaintiffs' right to procedural due process.

62. In a manner that shocks the conscience, the Defendants also violated Plaintiffs' substantive due process right to be free of abusive and oppressive government actions. Defendants violated Plaintiffs' right to raise their children without the threat that the state will unjustifiably seize them, place them in abusive environments, and keep them from home for 425 days.

63. As a direct result of these actions, Plaintiffs have suffered substantial damages. Joanna and Dick Lang lost the ability to raise, know, bond, and care for their children for 425 days, damaging their familial relationship and exposing the children to abuse and neglect in foster

1 homes. Additionally, because of the intense stress of this ordeal, Dick Lang passed away on
2 June 30, 2019.

3
4 64. The Defendants responsible for the conduct stated above engaged in said conduct
5 intentionally, with malice and/or with reckless disregard for the rights of plaintiffs, such that an
6 award of exemplary and punitive damages is appropriate.

7
8 **VII. NEGLIGENT INVESTIGATION CAUSING TO EXPOSURE TO NEGLECT
AND MALTREATMENT, RCW 26.44.050**

9
10 65. Plaintiffs hereby incorporate all the allegations set forth in above in the paragraphs
11 above as if set forth fully herein.

12 66. At all relevant times, Defendants Strange and the DSHS Workers were employed by
13 DSHS, acted within the scope of their employment, acted consistently with the policy of DSHS,
14 and thus were acting under color of law. The actions of the Defendants, individually and in
15 concert, supported, aided, encouraged, reinforced, and protected the actions of other
16 Defendants. Additionally, at all relevant times Defendant Hsieh was employed by the AG, acted
17 within the scope of his employment, and thus was acting under color of law.
18

19
20 67. The Defendants, acting individually and in concert, exposed C.L. and R.L. to neglect
21 and maltreatment in violation of RCW 26.44.050. The Defendants failed to adequately
22 investigate the children's living situation before removing them from their parents' care and
23 failed to adequately investigate or follow up with the foster parents after they placed C.L. and
24 R.L. in foster care. Defendants knew of C.L.'s condition or had access to records that would
25 have shown them he had greatly deteriorated during his time with the Murlins. The harm that
26 resulted to R.L. and C.L. was a direct result of these failures to adequately investigate.
27
28
29
30

68. Defendants foster parent Howard verbally abused R.L., Defendant foster parent Vallembois subjected R.L. to a sexually charged strip search, and Howard and Vallembois assaulted R.L. by subjecting him to a needle injection of an unknown medication.

69. Further, the Murlin foster parents harmed C.L. in multiple ways. Their lack of supervision exposed C.L. to fire risk when another foster child set fire to the Murlin home, they forced him to live in illegally crowded conditions, drove him in an automobile at unsafe speeds, and photographs show that C.L. lost extreme amounts of weight while he was in the Murlins' care.

70. These actions caused mental and emotional damages to Plaintiffs and their children, the likes of which are continuing.

VIII. FRAUD

71. Plaintiffs hereby incorporate all the allegations set forth in above in the paragraphs above as if set forth fully herein.

72. At all relevant times defendant Hsieh was employed by the AG, acted within the scope of his employment, and thus was acting under color of law. When Hsieh brought an ex parte motion to remove R.L. and C.L. from the family home, he was aware of but deliberately failed to present the court with exculpatory evidence from Dr. Fuchs and Dr. Vounge.

73. Plaintiffs allege that Hsieh deliberately omitted this evidence to induce the court to agree to remove the children from the Plaintiffs.

74. As a result of Hsieh's actions, the children were removed from the Plaintiffs for 425 days and the Plaintiffs suffered damages, including the death of Dick Lang.

IX. DEFAMATION

1 75. Plaintiffs hereby incorporate all the allegations set forth in above in the paragraphs
2 above as if set forth fully herein.

3
4 76. At all relevant times, Defendants Strange and the DSHS Workers were employed by
5 DSHS, acted within the scope of their employment, acted consistently with the policy of DSHS,
6 and thus were acting under color of law. The actions of the Defendants, individually and in
7 concert, supported, aided, encouraged, reinforced, and protected the actions of other
8 Defendants.

9
10 77. A DSHS Worker falsely told Dr. Vountg that Joanna Lang had "mental problems" and
11 that there was "possible neglect in caring for R.L. and C.L." Given the lack of investigation by
12 the Defendants up to that point, it was negligent and reckless to make these statements.

13
14 78. Additionally, a DSHS Worker reported Joanna Lang to APS alleging abuse of Dick
15 Lang, knowing this statement lacked any factual basis.

16
17 79. These defamatory statements cast Joanna Lang in a false light, damaged her reputation
18 among social and health workers involved with the Lang family, and caused Joanna Lang to be
19 subjected to an unwarranted APS investigation.

20
21 80. These defamatory statements caused additional damages to Plaintiffs, the likes of which
22 are continuing.

23 **X. WRONGFUL DEATH, RCW 4.20.010**

24
25 81. Plaintiffs hereby incorporate all the allegations set forth in above in the paragraphs
26 above as if set forth fully herein.

27
28 82. At all relevant times, Defendants Strange and the DSHS Workers were employed by
29 DSHS, acted within the scope of their employment, acted consistently with the policy of DSHS,
30 and thus were acting under color of law. The actions of the Defendants, individually and in

1 concert, supported, aided, encouraged, reinforced, and protected the actions of other
2 Defendants. Additionally, at all relevant times defendant Hsieh was employed by the AG, acted
3 within the scope of his employment, and thus was acting under color of law.
4

5 83. It is undisputed that the relationship between Dick Lang and his children was of
6 paramount importance and any intervention into the life of the child is also an intervention into
7 the life of the parent.
8

9 84. On June 30, 2019 Dick Lang died of stress-related conditions. Plaintiffs allege that the
10 stress of battling DSHS for 425 days to regain custody of his sons, C.L. and R.L. destroyed
11 Dick Lang's health and proximately caused his early death.
12

13 85. As a direct and proximate cause of Dick Lang's wrongful death, Joanna Lang and her
14 children suffered emotional trauma the likes of which are continuing.
15

16 **XI. DISCRIMINATION, 42 U.S.C. § 2000d et seq., RCW 49.60.030**

17 86. Plaintiffs hereby incorporate all the allegations set forth in above in the paragraphs
18 above as if set forth fully herein.
19

20 87. At all relevant times, Defendants Strange and the DSHS Workers were employed by
21 DSHS, acted within the scope of their employment, acted consistently with the policy of DSHS,
22 and thus were acting under color of law. The actions of the Defendants, individually and in
23 concert, supported, aided, encouraged, reinforced, and protected the actions of other
24 Defendants. Additionally, at all relevant times Defendant Hsieh was employed by the AG, acted
25 within the scope of his employment, and thus was acting under color of law.
26

27 88. The Defendants made the race of the Langs and their children a substantial factor in
28 removing the children from the family home and in denying a wheelchair and a guide dog to
29 C.L.
30

89. As stated above, the Langs are white and Jewish. R.L. and C.L. are minority and have special needs.

90. Plaintiffs allege that the Defendants gave better treatment to similarly-situated families and children who were not mixed-race and/or not minority or adopted by Jewish parents. This pattern of behavior is unexplainable on grounds other than discriminatory ones.

91. As a result of this discrimination, the Plaintiffs suffered damages, the likes of which are continuing.

XII. CIVIL VIOLATION OF THE RACKETEER INFLUENCED AND CORRUPT ORGANIZATION (RICO) LAW, 18 U.S.C. §§ 1961-1968

92. Plaintiffs hereby incorporate all the allegations set forth in above in the paragraphs above as if set forth fully herein.

93. At all relevant times, Defendants Strange and the DSHS Workers were employed by DSHS, acted within the scope of their employment, acted consistently with the policy of DSHS, and thus were acting under color of law. The actions of the Defendants, individually and in concert, supported, aided, encouraged, reinforced, and protected the actions of other Defendants. Additionally, at all relevant times Defendant Hsieh was employed by the AG, acted within the scope of his employment, and thus was acting under color of law.

94. Plaintiffs have established a claim under the Racketeer Influenced and Corrupt Organization (RICO):

- a. Each element of each predicate act exists (Plaintiffs have completely pled the causes of action listed above);
- b. An “enterprise” exists (the Defendants are all associated in law and in fact);
- c. A pattern of “racketeering activity” exists (there was a pattern of negligent and discriminatory conduct toward the Plaintiffs demonstrated by the

1 unjustified 425-day removal of the children, the defamation of Joanna Lang,
 2 and the failure to provide C.L. with a wheelchair, guide dog, and host of
 3 other DSHS services);
 4

5 d. There is a threat that the pattern will continue (there is no guarantee that
 6 DSHS will not remove the children again should DSHS receive another
 7 unfounded complaint against Joanna Lang); and
 8

9 e. There is a sufficient nexus between the injury Plaintiffs suffered and the
 10 pattern of conduct (the negligent, discriminatory, and defamatory conduct of
 11 the Defendants proximately caused the Plaintiffs' injuries, including the
 12 death of Dick Lang).
 13

14 **XIII. DEMAND**

15 95. WHEREFORE, the Plaintiffs pray for Judgment against all Defendants, and respectfully
 16 request this Court:
 17

- 18 a. Award compensatory damages, both general and special, according to proof
 19 at trial;
- 20 b. Award exemplary and punitive damages as allowed by law;
- 21 c. Award attorney fees and costs;
- 22 d. Treble damages under 18 U.S.C. §§ 1961-1968;
- 23 e. Award such other relief as the Court deems proper;
- 24 f. Grant Plaintiffs a protective order against retaliatory action by DSHS-CPS;
 25 and
- 26 g. Grant Plaintiffs leave to amend this Complaint as discovery proceeds.
 27
- 28
- 29
- 30

DATED this 1st day of March 2021.

____s/Kevin L. Johnson____

KEVIN L. JOHNSON, WSBA #24784

Attorney for Plaintiffs



STANDARD TORT CLAIM FORM

General Liability Claim Form #SF 210

Pursuant to Chapter 4.92 RCW, this form is for filing a tort claim against the state of Washington. Some of the information requested on this form is required by RCW 4.92.100 and may be subject to public disclosure.

For Official Use Only

RECEIVED

AUG 30 2019

Dept. of Enterprise Services
Office of Risk Management**PLEASE TYPE OR PRINT CLEARLY IN INK**

Mail or deliver Department of Enterprise Services
original claim to Office of Risk Management
1500 Jefferson Street SE
MS 41466
Olympia, Washington 98504-1466
Fax: 360-407-8022
Email: WashingtonStateTortClaimE-Filing@des.wa.gov

Business Hours: Monday – Friday 8:00 a.m. – 5:00 p.m.
Closed on weekends and official state holidays.

1. Claimant's name: Lang JoAnna [REDACTED] 55
Last name First Middle Date of birth (mm/dd/yyyy)
2. Inmate DOC number (if applicable): _____
3. Current residential address: 12401 NE 44th Street, Vancouver, WA 98682
4. Mailing address (if different): Same as above.
5. Residential address at the time of the incident: 12401 NE 44th Street, Vancouver,
(if different from current address)
6. Claimant's daytime telephone number: 360-735-3066 360 753-3066
Home Business or Cell
7. Claimant's e-mail address: rtibe2000@aol.com
8. Date of the incident: 2/2, 3/17 Time: 7 ☐ a.m. ☒ p.m. (check one)
(mm/dd/yyyy)
9. If the incident occurred over a period of time, date of first and last occurrences:
from _____ Time: _____ ☐ a.m. ☐ p.m.
(mm/dd/yyyy) (mm/dd/yyyy)
to Ongoing Time: _____ ☐ a.m. ☐ p.m.
(mm/dd/yyyy) (mm/dd/yyyy)
10. Location of incident: WA Clark Vancouver My home
State and county City, if applicable Place where occurred

Exhibit # A Pg. # _____

11. If the incident occurred on a street or highway:

Name of street or highway	Milepost number	At the intersection with or nearest intersecting street
---------------------------	-----------------	---

12. State agency or department alleged responsible for damage/injury:

State Department of Social & Health Services

13. Names, addresses and telephone numbers of all persons involved in or witness to this incident:

14. Names, addresses and telephone numbers of all state employees having knowledge about this incident:

See Attached pg., 1 item #14.

15. Names, addresses and telephone numbers of all individuals not already identified in #13 and #14 above that have knowledge regarding the liability issues involved in this incident, or knowledge of the Claimant's resulting damages. Please include a brief description as to the nature and extent of each person's knowledge. Attach additional sheets if necessary.

16. Describe the cause of the injury or damages. Explain the extent of property loss or medical, physical or mental injuries. Attach additional sheets if necessary.

17. Has this incident been reported to law enforcement, safety or security personnel? If so, when and to whom? Please attach a copy of the report or contact information.

18. Names, addresses and telephone numbers of treating medical providers. Attach copies of all medical reports and billings.

19. Please attach documents which support the allegations of the claim.

20. I claim damages from the state of Washington in the sum of \$ 9.00.

This Claim form must be signed by the Claimant, a person holding a written power of attorney from the Claimant, by the attorney in fact for the Claimant, by an attorney admitted to practice in Washington State on the Claimant's behalf, or by a court-approved guardian or guardian ad litem on behalf of the Claimant.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.


Signature of Claimant

Or

21 August 2019
Date and place (residential address, city and county)
12401 NE 44th Street
Bellevue, WA - Clark

Signature of Representative

Date and place (residential address, city and county)

Kevin L. Johnson PS
Print Name of Representative

24784
Bar Number (if applicable)

WASHINGTON STATE TORT CLAIM of JOANNA LANG ADDITIONAL PAPER.

Page 1 Item # 16 List of State Employees;

* Kaytena M. WachterGonzalez DSHS-CPS

215 NW 9th Street
Battle Ground, WA
98604

her supervisor's as follows;

Jennifer L. White,
Kira Lewis,
Debbie Lynn, Deputy Regional Administrator
Joel Odimba, Regional Administrator
and **DARCEY A. HANCOCK** *Jordon's old Vancouver DSHS social worker.*

*Pamela M. Williams

907 Harney
Vancouver, WA 98666

* Janelle E. Redmond DSHS-CPS

15917 NE 83rd St.
Vancouver, WA 98682

her supervisors;

Jennifer L. White
Kira Lewis
Debbie Lynn
Joel Odimba

DARCEY A. HANCOCK

* Lorraine Martinez DSHS-CPS

907 Harney
Vancouver, WA 98666

her supervisors are;

Maria Oliphant,
Kira Lewis,
Debbie Lynn,
Joel Odimba

DARCEY A. HANCOCK.

Beth A. Kutzer

10607 NE 85th Cir.
Vancouver, WA 98662

her supervisors;

Debbie Lynn,
Joel Odimba,
DARCEY A. HANCOCK

J. Aaron Merino
222 SE 197th Pl.
Camas, WA 98607

his supervisors;
Maria Oliphant,
Kira Lewis,Debbie Lynn,
Joes Odimba

DARCEY A. HANCOCK

Jaimee Scheffler
43200 Old Foothill Rd.
Richland , OR 97870

her supervisors;
Don L. Lawry,
Beth A. Kutzera Area Administrator
Debbie Lynn,
Joel Odimba,

DARCEY A. HANCOCK

All state actors involved as named above share 907 Harney
Vancouver, WA
98666

Except **Darcey A. Hancock** who resides 2905 31ST Ln. Olympia, WA 98502

For _____: Steven (Steve) R. Vallembois & James (Jimmy) L. Howard-Vallembois
10005 NE 65th Ct. Vancouver, WA 98682

For (**n:** Jeff Ian Murlin aka Jeff O Murlin aka Jeffry W. Murlin & Eimiko Reachel Murlin, 179 Derek Drive., Kelso, WA 98626

DSHS CPS/DLR Social Workers:

Laura Caruso
907 Harney
Vancouver, WA 98666

Sarah Coshow
2317 N.W. 101st Street
Vancouver, WA 98685

Kathy A. Shirilla "CASA"
10510 NW 14th Ct.
Vancouver, WA 98685

13. Names, addresses and telephone numbers of all persons involved in or witness to this incident:

WILMA JACKSON 360-903-8389
14. Names, addresses and telephone numbers of all state employees having knowledge about this incident:
15. Names, addresses and telephone numbers of all not already identified in #13 and #14 above that have knowledge regarding the liability issues involved in this incident, or knowledge of the Claimant's resulting damages.

HSLDA Staff attorney 540-338-2733

16. Describe the cause of the injury or damages. Explain the extent of property loss or medical, physical or mental injuries.

January 31, 2017 and February 1st 2017 Two reports to CPS; Adult daughter, Holly Lang who has an extensive documented history of severe delusional disorders and multiple personality disorder including drug abuse who refuses treatment and medication for schizophrenia is known to have made a report by admission at the DSHS Family Team Decision Meeting held on 02/06/2017.

February 2, 2017 Pediatrician Dr. Charles Fuchs MD was contacted by DSHS-CPS Pamela Williams before coming to our home and after R■■■■'s exam. Dr. Charles Fuchs MD who called CPS back after R■■■■'s exam and spoke with the social worker that same day 02/02/2017

February 2, 2017 about 10 am DSHS-CPS Kaytena AKA Kaytie M. Gonzales, Pamela Williams and a police officer came to our home and never told us why there were here (point of contact). When we took ■■■■ to see Dr. Fuchs that same day he told us the reasons CPS gave him why they were investigating; we homeschool ■■■■ spends a lot of time in his room and he's thin. Dr. Fuchs added that there had been two reports called in to CPS and that he didn't know if it was one person making two reports or if there were two people making reports. CPS had knowledge that our two sons, RDL and CRL were not in imminent danger when they obtained their Ex Parte order from Commissioner Schineberg on 02/03/2017 to remove the children from their home, violating our Fourteenth Amendment Rights. Dr. Charles Fuch's M.D. exculpatory material medical evidence/ Report of 02/02/2017 and Letter dated 06/29/2017 states that he was communicating with CPS by phone on 02/02/2017. CPS social workers Kaytena aka Kaytie Gonzales and Pamela Williams along with a police officer saw and spoke with ■■■■ a morning of 02/02/17. The Police Officer refused to take the children into custody on 02/02/17. RDL was seen by his doctor, Charles Fuchs M.D. on 2/2/17 after CPS and VPD left our home. Ms. Gonzales gave us a piece of note pad paper that stated that we were to take ■■■■ to Legacy Salmon Creek Hospital that day "for a full check up". HSLDA staff attorney who spoke with Ms. Gonzales that morning advised us not to take R■■■■ to ER rather to take him to his regular pediatrician, we did.

February 3, 2017 DSHS-CPS got an Ex Parte order "to take child into custody" after they had results from RDL medical exam on 2/2/17 of Dr. Charles Fuchs. CPS social worker, Kaytena M. Gonzales, Petitioner perjured herself when she signed page 5, Relief requested of the Dependency Petition. DSHS-CPS knew or should have known and/or had knowledge that trying to obtain an order stating that RDL and CRL were in imminent danger was false. DSHS-CPS social workers deliberately and maliciously withheld exculpatory material medical evidence from the court on 02/03/2017 when DSHS-CPS SW Kaytena M. Gonzales obtained the Ex Parte order to take child into custody and place in shelter care violated our Fourteenth Amendment Right to "Due"Process. DSHS-CPS Social workers Ms. Kaytena AKA Kaytie M. Gonzales,

Ms. Jay Redmond and Ms. Loraine Martinez all took our sons RDL and CRL from our home on the night of 2/3/17. DSHS-CPS SW Ms. Jay Redmond physically picked CRL up and carried him out of his home and placed him in a car. DSHS-CPS SW Ms. Kaytena aka Kaytie Gonzales told me (Dick Lang) I couldn't not go outside of my home when they were taking my sons' to cars.

February 3, 2017 DSHS-CPS gained unlawful access into our home via Vancouver Police Department threatening to "kick our door down" (Witness Ms. Jackson OTRL heard "I'll kick your door down" as she was coming up the driveway). They searched our home and seized our two son's, RDL and CRL and interviewed RDL in his room without a parent present. DSHS-CPS social workers and possible police officer(s) took both RDL and CRL to Legacy Salmon Creek Hospital Emergency Department where both children underwent a child abuse specific exam by Dr. Tam T. Vuong M.D. Again, DSHS-CPS had knowledge of and/or in their possession exculpatory material medical evidence from yet a second doctor, one of "their" choosing Dr. Vuong Tam T MD Hospital ER who stated in his reports that our son's were "safe to go home" and follow up with "their" doctor Charles E Fuchs" and medical records state; "Exam of the child. There are no concerns of malnourishment or abuse today". Violating our Fourth Amendment right to be present during these exams Wallis v Spencer (9th Cir. 1999/2000), Emrik v Chemung county dept. of social servs., Green v Camreta (9th Cir. court of Appeals 2009). Doe v Lebbos, 348 F.3d 820, 828-829 (9th Cir. 2003)

Both RDL and CRL have special needs and have been unlawfully detained in temporary shelter care for over six (6) months where CRL has sustained numerous weekly unexplained injuries, severe weight loss and had his iPad that has a communication program on it away. OCR is investigating at this time. We have been deprived of our children due to Kaytena Gonzales maliciously using a perjured Declaration of a Dependency petition that is based on delusions and lies and that this abuse of state power violated our Fourth and Fourteenth Amendment constitutional rights to familial relationship with our son's. Hardwick v Vreeken United States Court of Appeals, Ninth Circuit.

We have asked for RDL and CRL to be placed together in a suitable person placement. The mother is DSHS Contracted to provide home health care and cares for a young man who has the same rare disorder as CRL, Fragile X syndrome. We requested this happen prior to school starting. It has not.

17. Has the incident been reported to law enforcement, safety or security personnel? If so, when and to whom?

18. Names, addresses and telephone numbers of treating medical providers.

Charles Fuchs M.D. 360-892-1635

Vancouver, Washington 98684

Tam T. Young M.D. 360-487-1000

19. Documents which support the allegations of the claim.

DR FUCHS LETTER RE CPS 001.jpg

20. ☒ I claim damages from the state of Washington in the sum of \$ 2,400,000.00

This Claim form must be signed by the Claimant, a person holding a written power of attorney from the Claimant, by an attorney admitted to practice in Washington State on the Claimant's behalf, or by a court-approved guardian ad litem on behalf of the Claimant.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Dick & Jo Anna Lang

Signature of Claimant

OR

Signature of Representative

Firm Name

Print Name of Representative

Phone Number

Address

Email

Bar number/ Insurance Claim Number

Additional Claimants

1. Claimant's name: LANG, DICK GORDON /1954
 Last name First Middle Date of birth

Relationship to claimant: Spouse ☐ **Injured Party**

2. Inmate DOC number (if applicable): _____

3. Current residential address: 12401 NE 44th Street, VANCOUVER, WA 98682

4. Mailing address (if different): _____

5. Residential address at time of incident: _____
 (if different from current address)

☐ Same as primary

6. Claimant's daytime telephone number: 360-256-3535
Home Business Cell

7. Claimant's e-mail address: RTRIBE2000@aol.com

STANDARD TORT CLAIM FORM

General Liability Claim Form #SF 210

Pursuant to Chapter 4.92 RCW, this form is for filing a tort claim against the state of Washington. Some of the information requested on this form is required by RCW 4.92.100 and may be subject to public disclosure.

For Official Use Only

RECEIVED

AUG 30 2019

Dept. of Enterprise Services
Office of Risk Management**PLEASE TYPE OR PRINT CLEARLY IN INK**

Mail or deliver Department of Enterprise Services
original claim to Office of Risk Management
1500 Jefferson Street SE
MS 41466
Olympia, Washington 98504-1466
Fax: 360-407-8022
Email: WashingtonStateTortClaimE-Filing@des.wa.gov

Business Hours: Monday – Friday 8:00 a.m. – 5:00 p.m.
Closed on weekends and official state holidays.

1. Claimant's name: Lang Dick Gordon /1954
Last name First Middle Date of birth (mm/dd/yyyy)
2. Inmate DOC number (if applicable): _____
3. Current residential address: 12401 NE 44th Street, Vancouver WA 98682
4. Mailing address (if different): _____
5. Residential address at the time of the incident: 12401 NE 44th Street, Vancouver WA
(if different from current address)
6. Claimant's daytime telephone number: (360)2563535
Home Business or Cell
7. Claimant's e-mail address: rtribe2000@aol.com
8. Date of the incident: 02/3/17 Time: 7 ☐ a.m. ☒ p.m. (check one)
(mm/dd/yyyy)
9. If the incident occurred over a period of time, date of first and last occurrences:
from _____ Time: _____ ☐ a.m. ☐ p.m.
(mm/dd/yyyy) (mm/dd/yyyy)
to _____ Time: _____ ☐ a.m. ☐ p.m.
(mm/dd/yyyy) (mm/dd/yyyy)
10. Location of incident: WA Clark Vancouver Vancouver
State and county City, if applicable Place where occurred

Exhibit # B Pg. #

11. If the incident occurred on a street or highway:

Name of street or highway	Milepost number	At the intersection with or nearest intersecting street
---------------------------	-----------------	---

12. State agency or department alleged responsible for damage/injury:

Depart. Of Social and Health services (DSHS), Child Protective Services

13. Names, addresses and telephone numbers of all persons involved in or witness to this incident:

Wilma Jackson 360-903-8389

14. Names, addresses and telephone numbers of all state employees having knowledge about this incident:

See Attached Page 1 Item # 14

15. Names, addresses and telephone numbers of all individuals not already identified in #13 and #14 above that have knowledge regarding the liability issues involved in this incident, or knowledge of the Claimant's resulting damages. Please include a brief description as to the nature and extent of each person's knowledge. Attach additional sheets if necessary.

16. Describe the cause of the injury or damages. Explain the extent of property loss or medical, physical or mental injuries. Attach additional sheets if necessary.

17. Has this incident been reported to law enforcement, safety or security personnel? If so, when and to whom? Please attach a copy of the report or contact information.

18. Names, addresses and telephone numbers of treating medical providers. Attach copies of all medical reports and billings.

19. Please attach documents which support the allegations of the claim.

20. I claim damages from the state of Washington in the sum of \$ 9m.

This Claim form must be signed by the Claimant, a person holding a written power of attorney from the Claimant, by the attorney in fact for the Claimant, by an attorney admitted to practice in Washington State on the Claimant's behalf, or by a court-approved guardian or guardian ad litem on behalf of the Claimant.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signature of Claimant

Or

Joanna Langabe
Signature of Representative

Kevin L. Johnson PS

Print Name of Representative

21 August 2019
Date and place (residential address, city and county)

12401 NE 44th Street
Vancouver, WA - Clark

21 August 2019
Date and place (residential address, city and county)

12401 NE 44th Street
Vancouver, WA - Clark

24784

Bar Number (if applicable)

17. Has this incident been reported to law enforcement, safety or security personnel? If so, when and to whom? Please attach a copy of the report or contact information.

18. Names, addresses and telephone numbers of treating medical providers. Attach copies of all medical reports and billings.

19. Please attach documents which support the allegations of the claim.

20. I claim damages from the state of Washington in the sum of \$ 2,000,000.

This Claim form must be signed by the Claimant, a person holding a written power of attorney from the Claimant, by the attorney in fact for the Claimant, by an attorney admitted to practice in Washington State on the Claimant's behalf, or by a court-approved guardian or guardian ad litem on behalf of the Claimant.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

C. Wu Deceased
Signature of Claimant

Same as JoAnna Lang
Date and place (residential address, city and county)

Or
Kevin Johnson
Signature of Representative

8/30/19
Date and place (residential address, city and county)

Kevin L. Johnson PS
Print Name of Representative

24784
Bar Number (if applicable)

J. Aaron Merino
222 SE 197th Pl.
Camas, WA 98607

his supervisors;
Maria Oliphant,
Kira Lewis,Debbie Lynn,
Joes Odimba
DARCEY A. HANCOCK

Jaimee Scheffler
43200 Old Foothill Rd.
Richland , OR 97870

her supervisors;
Don L. Lawry,
Beth A. Kutzera Area Administrator
Debbie Lynn,
Joel Odimba,
DARCEY A. HANCOCK

All state actors involved as named above share 907 Harney
Vancouver, WA
98666

Except **Darcey A. Hancock** who resides 2905 31ST Ln. Olympia, WA 98502

For : Steven (Steve) R. Vallembois & James (Jimmy) L. Howard-Vallembois
10005 NE 65th Ct. Vancouver, WA 98682

For 1: Jeff Ian Murlin aka Jeff O Murlin aka Jeffry W. Murlin & Eimiko Reachel Murlin. 179 Derek Drive., Kelso, WA 98626

DSHS CPS/DLR Social Workers;

Laura Caruso
907 Harney
Vancouver, WA 98666

Sarah Coshow
2317 N.W. 101st Street
Vancouver, WA 98685

Kathy A. Shirilla "CASA"
10510 NW 14th Ct.
Vancouver, WA 98685

WASHINGTON STATE TORT CLAIM of JOANNA LANG ADDITIONAL PAPER.

Page 1 Item # 16 List of State Employees;

* Kaytena M. WachterGonzalez DSHS-CPS
215 NW 9th Street
Battle Ground, WA
98604

her supervisor's as follows:

Jennifer L. White,
Kira Lewis,
Debbie Lynn, Deputy Regional Administrator
Joel Odimba, Regional Administrator
and **DARCEY A. HANCOCK** *old Vancouver DSHS social worker.*

*Pamela M. Williams
907 Harney
Vancouver, WA 98666

* Janelle E. Redmond DSHS-CPS
15917 NE 83rd St.
Vancouver, WA 98682

her supervisors:

Jennifer L. White
Kira Lewis
Debbie Lynn
Joel Odimba

DARCEY A. HANCOCK

* Lorraine Martinez DSHS-CPS
907 Harney
Vancouver, WA 98666

her supervisors are;

Maria Oliphant,
Kira Lewis,
Debbie Lynn,
Joel Odimba

DARCEY A. HANCOCK.

Beth A. Kutzera
10607 NE 85th Cir.
Vancouver, WA 98662

her supervisors;

Debbie Lynn,
Joel Odimba,
DARCEY A. HANCOCK



Bob Ferguson
ATTORNEY GENERAL OF WASHINGTON
Torts Division
7141 Cleanwater Dr SW • PO Box 40126 • Olympia WA 98504-0126

May 22, 2017

Joanna Lang
12401 NE 44th Street
Vancouver, WA 98682

RE: Claim of Lang, Joanna (on behalf of L [REDACTED], C [REDACTED]; Lang, R [REDACTED])
ORM No. 30071814


Dear Ms. Lang:

We are in receipt of a copy of your claim against the State of Washington in the amount of \$2,400,000.00, filed with the Department of Enterprise Services' Office of Risk Management on May 11, 2017. This acknowledgement does not indicate the State's agreement that this claim should be allowed or is legally sufficient. Please be advised that an initial investigation by our office of this claim may take 60-80 days.

Any further correspondence or inquiries you have about this claim should be directed to the undersigned at:

Office of the Attorney General
Torts Division
7141 Cleanwater Drive SW
PO Box 40126
Olympia, WA 98504-0126

Sincerely,


LEIGH J. SWANSON
Chief Torts Investigator

[File Another Claim](#)
([/Home/Index](#))
DES Home
(<http://des.wa.gov/>) |
[Contact Us](#)
(<http://des.wa.gov/services/Risk/Pages/default.aspx>)

Your Claim has been submitted

Confirmation #: 131487151241017440

The Office of Risk Management will contact you within approximately 10 days acknowledging we received your claim. If you have questions or want to follow-up on your claim, call (360) 407-9199.

Please print this page or download a copy of your submitted claim for your records.

[Download Claim](#)

© Copyright 2015 Department of Enterprise Services DES Home Page (<http://www.des.wa.gov/>) | [Contact Us](#) (<http://des.wa.gov/services/Risk/Pages/default.aspx>)

078-201-17

STANDARD TORT CLAIM FORM

General Liability Claim Form #SF 210W

Pursuant to Chapter 4.92 RCW, this form is for filing a tort claim against the state of Washington. Some of the information requested on this form is required by RCW 4.92.100 and may be subject to public disclosure.

For Official Use Only

Confirmation #: 131854389061761710

Submitted: 10/31/2018

RECEIVED

AUG 30 2019

Dept. of Enterprise Services
Office of Risk Management

1. Claimant's name:

Last name

First

Middle

Date of birth

2. Inmate DOC number (if applicable):

☐ Injured Party

3. Current residential address: 12401 NE 44th STREET, VANCOUVER, Washington 98682

4. Mailing address (if different):

5. Residential address at time of incident:
(if different from current address)

6. Claimant's daytime telephone number:

(360)256-3535

Home

Business

Cell

7. Claimant's e-mail address:

RTRIBE2000@aol.com

Preferred contact method:

Email

8. Date of incident:

Time:

9. If the incident occurred over a period of time, date of first and last occurrences:

from 02/03/2017

Time: 7pm

to 03/30/2018

Time:

10. Location of incident:

Washington

COWLITZ

WASHINGTON

KELSO

State

County

City

Place where occurred

11. If the incident occurred on a street or highway, name of street or highway, intersection or nearest intersecting street, milepost number:

12. State agency or department alleged responsible for damage/injury:

DSHS/CPS

Exhibit # C Pg. #

13. Names, addresses and telephone numbers of all persons involved in or witness to this incident:
14. Names, addresses and telephone numbers of all state employees having knowledge about this incident:
15. Names, addresses and telephone numbers of all not already identified in #13 and #14 above that have knowledge regarding the liability issues involved in this incident, or knowledge of the Claimant's resulting damages.

16. Describe the cause of the injury or damages. Explain the extent of property loss or medical, physical or mental injuries.

DSHS/CPS failed to properly investigate CA/N, did not interview/speak with exculpatory witnesses and suppressed exculpatory material medical evidence, ignored C [REDACTED]'s life long pediatrician, Charles E. Fuchs M.D., the doctor at Legacy Salmon Creek Hospital, Tam T. Vuong M.D. who stated in his medical record that C [REDACTED] "WAS SAFE TO GO HOME" and "FOLLOW UP WITH HIS PEDIATRICIAN" CPS SW took my son to the night he was snatched where C [REDACTED] was subjected to a Child Abuse Specific exam even though there were never any allegations regarding C [REDACTED] whatsoever. DSHS/CPS SW sole Dependency Petitioner, Kaytena aka "Kaytie" Marie Gonzalez who has an extensive RAP sheet including Felony Convictions obtained an Ex Parte order based on malicious lies and fabricated evidence to take C [REDACTED] from the security of his loving parents by falsely stating C [REDACTED] was in imminent danger and that DSHS/CPS had made efforts to prevent removal, another lie. C [REDACTED] was then placed into a dangerous, chaotic foster home where he suffered physical and emotional harm/ trauma, was starved, rotted out his baby teeth and housed in a camp trailer in the back woods of Kelso WA after the foster's moved to another county/city and took C [REDACTED] with them for nearly half a year my son was forced to live in those horrific conditions after the foster parents left the kids home alone and a fire was started.

The extent of C [REDACTED]'s medical, physical and mental injuries are enormous. C [REDACTED] will require extraordinary care throughout his life. C [REDACTED]'s life has been significantly altered. He has a lot of fear and anxiety as well as medical issues.

17. Has the incident been reported to law enforcement, safety or security personnel? If so, when and to whom?

18. Names, addresses and telephone numbers of treating medical providers.

C [REDACTED] L [REDACTED] TORT CLAIM CONTINUED:

[REDACTED] is a sweet obedient, precious little boy loved by all who know him and they are many with NO behaviors that would require ligatures/restraints at bed time, or ever.

Per medical records obtained from Vancouver Clinic, the department through their foster mother, Emikio Murlin asked for a letter approving the use of ligatures to be used on [REDACTED] a five year old Hispanic boy who was born with FRAGILE X SYNDROME.

[REDACTED] LANG entered temporary shelter care on February 03, 2017 since that time [REDACTED] had been denied access to his Medical Formula prescribed by his regular pediatrician Dr. Charles Fuchs MD Evergreen Pediatric Clinic. [REDACTED] LANG'S Registered Dietitian's nutritional plan was disregarded that advises the use of Medical Formula for [REDACTED] health needs.

[REDACTED] was denied access to all his Sensory Specific Clothing.

DSHS knew that we are Jewish and we do not eat meat or immunize yet they allowed the FP to feed [REDACTED] meat and consent to immunizations eight (8) days **after** DSHS employees received the Washington State Department of Health Immunization Exemption for [REDACTED]

Signed by both his regular pediatrician and his mother on March 01, 2017 on

March 09, 2017 Vancouver Clinic records state that [REDACTED] was given that day multiple Immunizations against his parent, JOANNA LANG'S religious beliefs and Regular Pediatrician CHARLES FUCHS signed Exemption Documentation.

[REDACTED] has come to supervised visitation with severe bloody rash in his groin area.

[REDACTED] has come to supervised visitation with many unexplained bruises.

[REDACTED] has come to supervised visitation with scratches near his eye.

[REDACTED] has come to supervised visitation in skinny jeans that are not his that we so tight they restricted his breathing.

came to visitation with an "egg" large raised knot on his head with no explanation.

uses sign language yet the foster home is a non-signing home leaving [redacted] unable to communicate with those he depends upon.

has been forced to potty train per CASA Kathy Shirilla in court on March 21st 2017 stated that "[redacted] is being potty trained". [redacted] and other children like him do not just "start to potty train". FRAGILE X SYNDROME children and adults who learn to use a toilet are trained in a specific manner and certainly not upon entering a foster care situation that is traumatic in itself. Because of their lack of care and understanding of FRAGILE X SYNDROME, [redacted] has again been placed in harm's way and because of their actions, may never use a toilet.

has been denied his basic rights to food and clothing that "meets his needs" per Washington State "PARENTS GUIDE TO CPS" Brochure.

Does not have Autism. He has FRAGILE X SYNDROME (FXFM).

12/8/2016 DSHS-CPS received a report of maltreatment of [redacted], that he was in danger of imminent harm on **December 08, 2016** and yet DSHS-CPS waited until **February 02, 2017** to come to his home with Police. That day, Police refused to take [redacted] and his younger brother [redacted] into custody at the request of DSHS-CPS.

2/2/17 DSHS-CPS came to [redacted] home on the morning of February 02, 2017. Social workers Kaytie aka Kaytena M. Gonzales and Pam Williams along with a police officer. [redacted] Mother, Jo Anna Lang spoke with HSLDA Staff attorney who had her allow the social workers and police officer see and speak with R [redacted] D. L [redacted]. Police REFUSED to take the children into custody.

Note: DSHS waited two months after the report on **12/8/2016**. DSHS-CPS Removed [redacted] from his home **February 3, 2017** based on allegations of "concern of maltreatment of his 13 year old brother. There were no allegations regarding [redacted] care. This was the **first point of contact** yet CPS never told the family why they were there or why the department wanted then to take R [redacted] to an ER across town.

2/2/2017 HSLDA staff attorney advised the parents of [REDACTED] to take his brother [REDACTED] to his regular pediatrician, not the ER.

2/2/2017 Parents took [REDACTED] to his own doctor who gave [REDACTED] a clean bill of health and explained to the mother why CPS was at their home earlier. When asked if he knew why CPS was at their home, Dr. Fuchs replied; well, you homeschool, [REDACTED] spends a lot of time in his room and he's thin. He went on to tell mom that they, CPS had called him today. Pediatrician Dr. Charles Fuchs examined [REDACTED] and allowed him to return home with his mother, Jo Anna Lang. Dr. Fuchs stated that he would call CPS about today's visit, that he had examined and spoke privately with R [REDACTED] L [REDACTED].

2/3/2017 DSHS-CPS came back to [REDACTED] home **at approximately 7pm** with Kaytena Gonzales, "J", and "Lorraine" plus four (4) special unit police officers making a total of seven (7) strangers in the children's family home. DSHS-CPS handed us an envelope with scattered court paper copies. One officer said ***if we don't let them in they will go get a warrant and come back and "kick the door down"***.

HSLDA staff attorneys were again called and they asked us to read them the paperwork over the phone then advised us to let them take the boys tonight. We did. At which time we gave DSHS-CPS nearly all of [REDACTED] sensory kind wardrobe, seamless socks, special diapers (for disabled children that have outgrown baby diapers), Annie mac, banana's, bottled water, cases of [REDACTED] Medical Formula, bottles with therapeutic nipples and bottle liners. And Gigi, [REDACTED] best friend, security and verbal translator.

2/5/2017 DSHS-CPS Kaytie aka Kaytena M. Gonzales brought a FTDM paper to our home that Sunday afternoon about 2pm. That meeting invitation *failed* to give us important information that we could invite others to this meeting.

2/7/2017 DSHS-CPS held the FTDM and invited a foster parent, Emikio Murlin (who had only received [REDACTED] into her foster home 72 hours prior) to our family's meeting without notice or our consent.

3/8/2017 DSHS-CPS 45-90 day time limit to close their investigation was exhausted to complete their investigation and give parents of [REDACTED] notice of the department's findings. Parents have *never* received any such notice.

3/21/2017 DSHS-CPS took an order to the court Commissioner to allow the foster parents to take [REDACTED] a child born with FRAGILE X SYNDROME out of state on a 14 hour drive to 6 flags amusement park in California during spring break. Again, compromising [REDACTED] safety and wellbeing. The court denied the

department's request/order siting that [REDACTED] is fairly involved nonverbal child and has not been with this foster family for only a few weeks-still adjusting.

3/30/2017 DSHS-CPS now eight (8) days after the **3/21/17** trip hearing, with no mention of the following, DSHS-CPS is now asking the court for an order to **Suspend all Visitation**. CASA Kathy Shirilla who was "pro trip" for [REDACTED] and who never mentioned anything about [REDACTED] crying after a visit the past couple times "after" he returned to the foster home did he begin to cry" per CASA Kathy Shirilla testimony. **Supervised Visitation Reports** for those "past couple visits" **were favorable as to the parents and separation was not an issue**. Only was it upon arrival back to the foster mother did [REDACTED] begin to cry which is a sign of abuse per US Department of Justice

3/15/2017 [REDACTED] arrived at Supervised Visitation **WEDNESDAY MARCH 15TH 2017** five (5) days AFTER C [REDACTED] L [REDACTED]'S previous visitation. [REDACTED] presented with unexplained large raised knot on the side of his head and horrific bruising around his ankles that appears to be consistent with ligature bruising and consistent with the DSHS-CPS Doctor's letter of MARCH 16th 2017 Vancouver Clinic letter of Dr. Stephen Miller giving his approval for the foster parents to physically restrain [REDACTED] at night and medical chart notes dated **3/9/2017** whereas the foster mother informed Dr. Miller that "*CPS desires documentation (letter created) regarding patients "sleeping arrangement"*". **Note:** The letter dated **3/16/2017** of Dr. Stephen Miller states that [REDACTED] "as seen today". However, Vancouver Clinic Scheduling and chart notes indicate that [REDACTED] was only seen February 8th 2017 and MARCH 9TH 2017 by Dr. Stephen Miller. [REDACTED] was seen AT Urgent Care Vancouver Clinic on February 20th 2017

19. Documents which support the allegations of the claim.

CPS BG 1 001.jpg, CPS BG 3 001 (2).jpg, CPS BG 4 001 (2).jpg

20. ☒ I claim damages from the state of Washington in the sum of \$ 17 MILLION

This Claim form must be signed by the Claimant, a person holding a written power of attorney from the Claimant, by an attorney admitted to practice in Washington State on the Claimant's behalf, or by a court-approved guardian ad litem on behalf of the Claimant.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

JOANNA LANG OBO C [REDACTED] L [REDACTED]

Signature of Claimant

OR

Kim Johnson

Signature of Representative

Kevin Johnson

Print Name of Representative

(360) 753-3066

Phone Number

KevinJohnson230@gmail.com

Email

Kevin Johnson, PS Attorney at law

Firm Name

1405 Harrison Ave NE Suite 204
Bellevue, WA 98003

Address

24784

Bar number/ Insurance Claim Number

13. Names, addresses and telephone numbers of all persons involved in or witness to this incident:

14. Names, addresses and telephone numbers of all state employees having knowledge about this incident:

15. Names, addresses and telephone numbers of all not already identified in #13 and #14 above that have knowledge regarding the liability issues involved in this incident, or knowledge of the Claimant's resulting damages.

16. Describe the cause of the injury or damages. Explain the extent of property loss or medical, physical or mental injuries.

DSHS/CPS failed to properly investigate CA/N, did not interview/speak with exculpatory witnesses and suppressed exculpatory material medical evidence, ignored [redacted] pediatrician, Charles E. Fuchs M.D., the doctor at Legacy Salmon Creek Hospital, Tam T. Vuong M.D. who stated in his medical record that R [redacted] "WAS SAFE TO GO HOME" and "FOLLOW UP WITH HIS PEDIATRICIAN" CPS SW took my son to the night he was snatched where [redacted] was subjected to a Child Abuse Specific exam based on "hearsay" of a mentally ill family member via telephone. DSHS/CPS SW sole Dependency Petitioner, Kaytena aka "Kaytie" Marie Wachter- Gonzalez who has an extensive RAP sheet including Felony Convictions obtained an Ex Parte order based on malicious lies and fabricated evidence to take [redacted] from the security of his loving parents by falsely stating R [redacted] was in imminent danger and that DSHS/CPS had made efforts to prevent removal. When DSHS/CPS social workers Kaytena M. Gonzalez and Pamela Williams came to our home on 2/2/2017 they saw [redacted] spoke with him and the officer who was with them REFUSED to take my son into protective custody. When that failed, Kaytena M. Gonzalez pressed for an Ex Parte pick up order and came back to our home the next "night" with 3 social workers and 4 police officers and no warrant to enter our home. F [redacted] after being examined at Legacy and no injuries, no undernourishment and safe to go home, [redacted] as placed in a foster home that had cameras and Alarm system, with two dad's and a SAY who acted out openly sexually, foster dad 1 James Howard demanded [redacted] 30 Days After Placement to take off ALL his clothes so he "Jimmy" could check his body for bruises (strip search) of R [redacted] after he'd been see by a M.D. the night he was taken from his home and family. Foster dad 2, Steve Vallambois [redacted] "if you were my kid, I'd slap the shit outa you" [redacted] given a device/tablet where he was allowed free range online and went to "adult websites" and accessed porn. DSHS/CPS did not protect my son, they harmed him. [redacted] mental well-being was ignored and he encountered physical fights with other foster boys in that placement. And had his prescribed medications removed and/or reduced. [redacted] sent to camp Starlight, a camp for children effected by Aids/HIV. He had to have blood drawn and or shots to go to this camp. He was told "its a camp for foster kids" [redacted] instantly asked SW Kaytena Gonzalez and Aaron Merino to see his younger brother, ([redacted]), he went over a year without visits with his brother.

17. Has the incident been reported to law enforcement, safety or security personnel? If so, when and to whom?

18. Names, addresses and telephone numbers of treating medical providers.

19. Documents which support the allegations of the claim.

CPS BG 1 001.jpg, CPS BG 3 001.jpg

20. ☒ I claim damages from the state of Washington in the sum of \$ 9 MILLION

This Claim form must be signed by the Claimant, a person holding a written power of attorney from the Claimant, by an attorney admitted to practice in Washington State on the Claimant's behalf, or by a court-approved guardian ad litem on behalf of the Claimant.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Jo Anna Lang obo R [REDACTED] Lang

Signature of Claimant

OR

Kevin Johnson
Signature of Representative

Kevin Johnson
Print Name of Representative

(360) 753-3066
Phone Number

Kevin Johnson 230@gmail.com
Email

Kevin L. Johnson, P.S. Attorney
Firm Name

1405 Harrison Ave Suite 204
Address Olympia, WA 98502

24784
Bar number/ Insurance Claim Number

CIVIL

CLARK COUNTY SUPERIOR COURT

Case Information Cover Sheet (CICS)

Case Number 21-2-00330-06 Case Title JOANNA LANG, ET. AL V. THE DEPARTMENT
OF SOCIAL AND HEALTH SERVICES, CITY OF VANCOUVER, ET AL

Attorney Name, Kevin L. Johnson. Bar Membership Number 24784

Please check one category that best describes this case for indexing purposes. Accurate case indexing not only saves time in docketing new cases, but helps in forecasting needed judicial resources. Cause of action definitions are listed on the back of this form. Thank you for your cooperation.

- | | | | |
|---|---|---|---|
| <input type="checkbox"/> ABJ | Abstract of Judgment | <input type="checkbox"/> PRG | Property Damage – Gangs |
| <input type="checkbox"/> ALR | Administrative Law Review | <input type="checkbox"/> PRP | Property Damages |
| <input type="checkbox"/> ALRJT | Administrative Law Review-Jury Trial (L&I) | <input type="checkbox"/> QTI | Quiet Title |
| <input type="checkbox"/> CRP | Petition for Certificate of Restoration of | <input type="checkbox"/> RDR | Relief from Duty to Register Opportunity |
| <input type="checkbox"/> CHN | Non-Confidential Change of Name | <input type="checkbox"/> RFR | Restoration of Firearm Rights |
| <input type="checkbox"/> COL | Collection | <input type="checkbox"/> SDR | School District-Required Action Plan |
| <input type="checkbox"/> CON | Condemnation | <input type="checkbox"/> SPC | Seizure of Property-Commission of Crime |
| <input type="checkbox"/> COM | Commercial | <input type="checkbox"/> SPR | Seizure of Property-Resulting from Crime |
| <input type="checkbox"/> DOL | Appeal Licensing Revocation | <input type="checkbox"/> STK | Stalking Petition |
| <input type="checkbox"/> DVP | Domestic Violence | <input type="checkbox"/> SXP | Sexual Assault Protection |
| <input type="checkbox"/> EOM | Emancipation of Minor | <input type="checkbox"/> TAX | Employment Security Tax Warrant |
| <input type="checkbox"/> FJU | Foreign Judgment | <input type="checkbox"/> TAX | L & I Tax Warrant |
| <input type="checkbox"/> FOR | Foreclosure | <input type="checkbox"/> TAX | Licensing Tax Warrant |
| <input type="checkbox"/> FPO | Foreign Protection Order | <input type="checkbox"/> TAX | Revenue Tax Warrant |
| <input type="checkbox"/> HAR | Unlawful Harassment | <input type="checkbox"/> TMV | Tort – Motor Vehicle |
| <input type="checkbox"/> INJ | Injunction | <input type="checkbox"/> TRJ | Transcript of Judgment |
| <input type="checkbox"/> INT | Interpleader | <input checked="" type="checkbox"/> TTO | Tort – Other |
| <input type="checkbox"/> LCA | Lower Court Appeal – Civil | <input type="checkbox"/> TXF | Tax Foreclosure |
| <input type="checkbox"/> LCI | Lower Court Appeal – Infractions | <input type="checkbox"/> UND | Unlawful Detainer – Commercial |
| <input type="checkbox"/> LUPA | Land Use Petition Act | <input type="checkbox"/> UND | Unlawful Detainer – Residential |
| <input type="checkbox"/> MAL | Other Malpractice | <input type="checkbox"/> VAP | Vulnerable Adult Protection Order |
| <input type="checkbox"/> MED | Medical Malpractice | <input type="checkbox"/> VVT | Victims of Motor Vehicle Theft-Civil Action |
| <input type="checkbox"/> MHA | Malicious Harassment | <input type="checkbox"/> WDE | Wrongful Death |
| <input type="checkbox"/> MSC2 | Miscellaneous – Civil | <input type="checkbox"/> WHC | Writ of Habeas Corpus |
| <input type="checkbox"/> MST2 | Minor Settlement – Civil (No Guardianship) | <input type="checkbox"/> WMW | Miscellaneous Writs |
| <input type="checkbox"/> PCC | Petition for Civil Commitment (Sexual Predator) | <input type="checkbox"/> WRM | Writ of Mandamus |
| <input type="checkbox"/> PFA | Property Fairness Act | <input type="checkbox"/> WRR | Writ of Restitution |
| <input checked="" type="checkbox"/> PIN | Personal Injury | <input type="checkbox"/> WRV | Writ of Review |
| <input type="checkbox"/> PRA | Public Records Act | <input type="checkbox"/> XRP | Extreme Risk Protection Order |

IF YOU CANNOT DETERMINE THE APPROPRIATE CATEGORY, PLEASE DESCRIBE THE CAUSE OF ACTION BELOW.

Please Note: Public information in court files and pleadings may be posted on a public Web site.

IF YOU CANNOT DETERMINE THE APPROPRIATE CATEGORY, PLEASE DESCRIBE THE CAUSE OF ACTION BELOW.

Please Note: Public information in court files and pleadings may be posted on a public Web site.

P. Stover DNP, ARNP
 Full Name of Party Filing Document
16811 SE McGillivray Blvd.
 Mailing Address (Street or Post Office Box)
Vancouver, WA 98683
 City, State and Zip Code
360 735 8100
 Telephone

 Email Address (if any)

IN THE SUPERIOR COURT
 FOR THE STATE OF WASHINGTON, IN AND FOR THE COUNTY OF CLARK

IN THE MATTER OF,

STATE of WASHINGTON
 DSHS

v.

LANG

STATEMENT OF EXAMINING PHYSICIAN

I have examined HOLLY LOUISE LANG, [REDACTED] 1977 a vulnerable adult and it is my opinion that he/she ☐ is ☒ is not available to testify at a hearing due to her long history of mental illness and being found incompetent by Clark Superior Court Case Number 95-4-00711-3. Due to Holly Lang's mental disability, she is unable to recall events and truthfully explain them. Holly Lang was hospitalized at St Johns Medical Center mental health unit 10/20/17 through 10/31/17 due to untreated schizophrenia. She had stopped taking her medications for schizophrenia at an undetermined time and attempted suicide on 10/20/17.

Date: 12/28/2017

Pamela R. Stover DNP, ARNP
 Signature of Physician

Pamela R. Stover DNP, ARNP
 Typed/printed name



FAMILY MEDICINE - 87TH AVE - VANCOUVER, WA
505 Ne 87th Ave Ste 260
Vancouver WA 98664-1989

Holly L Lang
11614 Ne 49th St C11
Vancouver WA 98682

November 1, 2017

Patient: [REDACTED]
Date of Birth: [REDACTED] 1977
Date of Visit: 11/1/2017

To Whom it May Concern:

[REDACTED] was hospitalized at St Johns Medical Center mental health unit 10/20/17 through 10/30/17 for voluntary observation and treatment of schizophrenia. She had stopped taking her medications for schizophrenia at an undetermined time and attempted suicide 10/20/17. She was evaluated at Southwest Medical Center emergency department initially on 10/20/17 for the suicide attempt.

Sincerely,


Marie A Kirkpatrick, PA-C

Family Medicine - 87th Ave - Vancouver, Wa
505 Ne 87th Ave Ste 260
Vancouver WA 98664-1989
360-514-6450

200/2002

11/02/2017 THU 9:39 FAX

Exhibit # 1 Pg # 1



PeaceHealth
St. John Medical Center

October 31, 2017

To whom it may concern:

Holly Lang was a patient at St. John Medical Center from October 20, 2017 until October 31, 2017.

Thank you,

A handwritten signature in cursive script, reading "Nancy Burkey - M.D.", with a stylized flourish at the end.

Nancy Burkey M.D.

Exhibit # 1 Pg. # 2



STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
CHILDREN'S ADMINISTRATION
907 Harney St. PO Box 9809
Vancouver, WA 98666

04/03/2017

CERTIFIED MAIL: 91 7199 9991 7037 2242 1084

JOANN LANG
12401 NE 44th St
Vancouver, WA 98682

RE: Intake Number: 3534736

Dear JOANN LANG:

I am writing to inform you of the results of the Child Protection Services (CPS) Investigation conducted by the Department of Social and Health Services (DSHS) and your rights concerning the results of this investigation. On or about 01/31/2017, CPS received a report alleging that you abused or neglected your child or a child in your care. CPS investigated this report, which included a discussion of the allegations with you, and has found that the alleged abuse or neglect occurred.

What type of child abuse or neglect did you allegedly commit?

The allegation(s) are:

- Negligent treatment or maltreatment

Child abuse and neglect is defined in state law. CPS is required to use these definitions when investigating allegations of abuse and neglect.

What did CPS find?

The CPS investigation showed that the allegation(s) of:

1. Negligent Treatment or Maltreatment on Intake Number 3534736 involving victim R [REDACTED] L [REDACTED] is Founded

When an allegation is 'Founded,' it means that CPS investigated the allegation(s) and, based on the information available, has determined that it was more likely than not that the abuse and/or neglect occurred and you are the person responsible for the abuse and/or neglect.

CPS FOUNDED LETTER
DSHS 09-913 (REV. 03/2013)

Page 1 of 7

Exhibit # 2 Pg. # 1

What did CPS base this determination on?

Brief description (who, what, and where) of the investigation that led to the finding(s).

1. Intake Number 3534736 involving victim [REDACTED] with the allegation of Negligent Treatment or Maltreatment is founded against you based on: The determination of FOUNDED findings after this investigation is based on a preponderance of the evidence that negligent treatment did occur. On January 31, 2017, the Department received information alleging negligent treatment/maltreatment of 13-year-old [REDACTED] by you [REDACTED] as observed to be underweight with dark sunken in eyes. [REDACTED] reported that he was feed smaller portions of food and always hungry after eating; being medicated and often feeling sleepy; you would not allow him to use the restroom without your supervision and often had accidents in his bedroom as you did not respond to his requests to use the restroom. Dr. Fuchs reported that when he first saw [REDACTED] a new patient he was in the 15th percentile for weight and in 2016 he dropped to the 1st percentile for weight. Dr. Vuong at Legacy Salmon Creek Emergency Department diagnosed [REDACTED] Dehydration, malnourishment and noted that [REDACTED] bones were protrudent at joints. Dr. Vuong reported that [REDACTED] ab testing came back positive for Benzo's. Dr. Vuong reported that [REDACTED] weighed 67 lb and 7.4 oz on 02/03/2017. During the psychological assessment at Legacy Salmon Creek Hospital on February 03, 2017 [REDACTED] reported that he eats breakfast and lunch in his bedroom and sometimes eats dinner in his room as well. [REDACTED] reported that he is not provided with three meals daily, and reported that only sometimes he is provided three meals a day. [REDACTED] reported that he is hungry all the time. Dr. Copeland evaluated [REDACTED] March 07, 2017 and reported that [REDACTED] had gained almost 24 lbs. since being removed from your home on 02/03/2017. Dr. Copeland reported that [REDACTED] disclosed isolation in his bedroom on a daily basis, having to obtain permission and being escorted to the restroom, having accidents due to the his bathroom requests not being attended to, daily hunger, and reduction in his food portions. Dr Copeland reported the multiple mental health diagnosis and several varying psychiatric medication were based primarily off of your reporting. Dr. Copeland reported that foster parents do not report seeing or experiencing any of the concerning behavioral issues that you had reported to other providers. Mother has failed to act in the best interest of the child and to provide for the child's basic needs that it showed a serious disregard of the consequences to the child of such magnitude that it created a clear and present danger to the child's health, welfare, and safety, therefore negligent treatment/maltreatment is founded.

What happens to information about Founded CPS reports?

1. Children's Administration (CA) of the Department of Social and Health Services keeps this information in its computer system. CA is required to report this information to an appropriate law enforcement agency if CA has reason to believe that a crime against a child was committed.

2. Information in CA's computer system is confidential and cannot be released to the public. It can be released if authorized by law or court order and may be used in this state or other states for purposes of:

- Evidence in court actions concerning your children.
- Determining if you can be licensed or employed to provide care for children or vulnerable adults, or to reside in a licensed foster or child care home; or
- Background information in the event there are future CPS or law enforcement reports.

3. If you work for or live with someone who is licensed to provide child care or foster care, information about the Founded CPS investigation will be provided to the State Licensor. The licensor may take licensing action based on the Founded finding(s).

4. You have the right to ask for a review by CA of the Founded finding(s) of child abuse or neglect against you.

What are your rights?

1. You have a right to know the results of the CPS investigation. This letter is provided for this purpose.
2. You have the right to send CPS a written response about the allegation and finding(s). If you send a written response, it will be put in your CPS file. Send written responses to the address printed on top of this letter.
3. You have the right to see your CPS file. You may ask for access to your file in writing or by calling the number listed above.
4. You have the right to ask for a review by CA of a Founded finding(s) of child abuse or neglect against you.

How do you ask for a review of Founded findings?

1. You must send a written request for a review to CA. To do this you must:
 - Use the form attached to this letter to ask for a review, and
 - Send your written request to the address identified on the attached form.
2. CA must receive your written request for a review within 30 calendar days from the date you receive this letter. **If CA does not receive the request within 30 calendar days of the date you receive this letter, you will have no further right to challenge the CPS findings.**

What happens after I ask for a review?

1. If you submit a timely request for review, your case will be reviewed by a CA Area Administrator within 30 days of receiving the request.
2. After the review, the CA Area Administrator will send you a letter with the results of the review in about 60 days.
3. If the CA Area Administrator does not change the Founded finding(s), you have the right to challenge the finding at an Administrative Hearing. Administrative Hearings are held by the Office of Administrative Hearings, an independent agency that is not part of CA or DSHS. Information regarding Administrative Hearings will be included in the letter from the CA Area Administrator.

What if I am also involved in a dependency case?

In some cases when there have been allegations of abuse or neglect, the Department files a dependency petition. If a dependency petition has been filed in which you were named as a parent or guardian of a child, you should talk to your dependency attorney about the difference between a founded finding and a dependency proceeding.

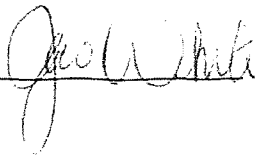
Where can you find more information about CPS findings and your right to a review?

Washington Administrative Code (WAC) Chapter 388-15 and RCW 26.44.020 covers these issues. You can access it on line at <http://apps.leg.wa.gov/WAC/default.aspx?cite=388-15> and <http://apps.leg.wa.gov/rcw/default.aspx?cite=26.44.020>

Sincerely,

JENNIFER WHITE

CPS Supervisor



(360) 993-7900

TELEPHONE NUMBER

factors may include the developmental level of the child and the nature of the child's misconduct. A parent's belief that it is necessary to punish a child does not justify or permit the use of excessive, immoderate or unreasonable force against the child.

(3) Sexual abuse means committing or allowing to be committed any sexual offense against a child as defined in the criminal code. The intentional touching, either directly or through the clothing, of the sexual or other intimate parts of a child or allowing, permitting, compelling, encouraging, aiding, or otherwise causing a child to engage in touching the sexual or other intimate parts of another for the purpose of gratifying the sexual desire of the person touching the child, the child, or a third party. A parent or guardian of a child, a person authorized by the parent or guardian to provide childcare for the child, or a person providing medically recognized services for the child, may touch a child in the sexual or other intimate parts for the purposes of providing hygiene, child care, and medical treatment or diagnosis.

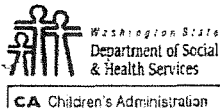
(4) Sexual exploitation includes, but is not limited to such actions as allowing, permitting, compelling, encouraging, aiding, or otherwise causing a child to engage in:

- (a) Prostitution;
- (b) Sexually explicit, obscene or pornographic activity to be photographed, filmed, or electronically reproduced or transmitted; or
- (c) Sexually explicit, obscene or pornographic activity as part of a live performance, or for the benefit or sexual gratification of another person.

(5) Negligent treatment or maltreatment means an act or a failure to act, or the cumulative effects of a pattern of conduct, behavior, or inaction on the part of a child's parent, legal custodian, guardian, or caregiver that shows a serious disregard of the consequences to the child of such magnitude that it creates a clear and present danger to the child's health, welfare, or safety. A child does not have to suffer actual damage or physical or emotional harm to be in circumstances which create a clear and present danger to the child's health, welfare, or safety. Negligent treatment or maltreatment includes, but is not limited to:

- (a) Failure to provide adequate food, shelter, clothing, supervision, or health care necessary for a child's health, welfare, or safety. Poverty and/or homelessness do not constitute negligent treatment or maltreatment in and of themselves.
- (b) Actions, failures to act, omissions that result in injury to or which create a substantial risk of injury to the physical, emotional, and/or cognitive development of a child; or
- (c) The cumulative effects of a pattern of conduct, behavior or inaction by a parent or guardian in providing for the physical, emotional and developmental needs of a child's, or the effects of chronic failure on the part of a parent or guardian to perform basic parental functions, obligations, and duties, when the result is to cause injury or create a substantial risk of injury to the physical, emotional, and/or cognitive development of a child.

[Statutory Authority: RCW 74.08.090, 74.04.050, 74.13.031, chapter 26.44 RCW, and 2005 c 512. 07-14-011, § 388-15-009, filed 6/22/07, effective 7/23/07. Statutory Authority: RCW 74.13.031, 74.04.050, and chapter 26.44 RCW. 02-15-098 and 02-17-045, § 388-15-009, filed 7/16/02 and 8/14/02, effective 2/10/03.]



Review Request Form

INTAKE NUMBER

I request Children's Administration conduct a review of the founded report of abuse or neglect in which I am named as an alleged perpetrator.

SIGNATURE

DATE

The outcome of this review should be mailed to the following address:
(Please PRINT your name and correct mailing address).

NAME

ADDRESS

CITY

STATE

ZIP CODE

Sign this form and mail it to:

C/O: CAPTA Appeal

907 Harney St. PO Box 9809
Vancouver, WA 98666

This form must be received by Children's Administration office within 30 calendar days. If it is not received within 30 calendar days, you will have no further right to challenge the CPS findings.

CIVIL
CLARK COUNTY SUPERIOR COURT

Case Information Cover Sheet (CICS)

Case Number 21-2-00330-06 Case Title JOANNA LANG, ET. AL V. THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES, CITY OF VANCOUVER, ET AL

Attorney Name, Kevin L. Johnson. Bar Membership Number 24784

Please check one category that best describes this case for indexing purposes. Accurate case indexing not only saves time in docketing new cases, but helps in forecasting needed judicial resources. Cause of action definitions are listed on the back of this form. Thank you for your cooperation.

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|---|---|---|---|
| <input type="checkbox"/> ABJ | Abstract of Judgment | <input type="checkbox"/> PRG | Property Damage – Gangs |
| <input type="checkbox"/> ALR | Administrative Law Review | <input type="checkbox"/> PRP | Property Damages |
| <input type="checkbox"/> ALRJT | Administrative Law Review-Jury Trial (L&I) | <input type="checkbox"/> QTI | Quiet Title |
| <input type="checkbox"/> CRP | Petition for Certificate of Restoration of | <input type="checkbox"/> RDR | Relief from Duty to Register Opportunity |
| <input type="checkbox"/> CHN | Non-Confidential Change of Name | <input type="checkbox"/> RFR | Restoration of Firearm Rights |
| <input type="checkbox"/> COL | Collection | <input type="checkbox"/> SDR | School District-Required Action Plan |
| <input type="checkbox"/> CON | Condemnation | <input type="checkbox"/> SPC | Seizure of Property-Commission of Crime |
| <input type="checkbox"/> COM | Commercial | <input type="checkbox"/> SPR | Seizure of Property-Resulting from Crime |
| <input type="checkbox"/> DOL | Appeal Licensing Revocation | <input type="checkbox"/> STK | Stalking Petition |
| <input type="checkbox"/> DVP | Domestic Violence | <input type="checkbox"/> SXP | Sexual Assault Protection |
| <input type="checkbox"/> EOM | Emancipation of Minor | <input type="checkbox"/> TAX | Employment Security Tax Warrant |
| <input type="checkbox"/> FJU | Foreign Judgment | <input type="checkbox"/> TAX | L & I Tax Warrant |
| <input type="checkbox"/> FOR | Foreclosure | <input type="checkbox"/> TAX | Licensing Tax Warrant |
| <input type="checkbox"/> FPO | Foreign Protection Order | <input type="checkbox"/> TAX | Revenue Tax Warrant |
| <input type="checkbox"/> HAR | Unlawful Harassment | <input type="checkbox"/> TMV | Tort – Motor Vehicle |
| <input type="checkbox"/> INJ | Injunction | <input type="checkbox"/> TRJ | Transcript of Judgment |
| <input type="checkbox"/> INT | Interpleader | <input checked="" type="checkbox"/> TTO | Tort – Other |
| <input type="checkbox"/> LCA | Lower Court Appeal – Civil | <input type="checkbox"/> TXF | Tax Foreclosure |
| <input type="checkbox"/> LCI | Lower Court Appeal – Infractions | <input type="checkbox"/> UND | Unlawful Detainer – Commercial |
| <input type="checkbox"/> LUPA | Land Use Petition Act | <input type="checkbox"/> UND | Unlawful Detainer – Residential |
| <input type="checkbox"/> MAL | Other Malpractice | <input type="checkbox"/> VAP | Vulnerable Adult Protection Order |
| <input type="checkbox"/> MED | Medical Malpractice | <input type="checkbox"/> VVT | Victims of Motor Vehicle Theft-Civil Action |
| <input type="checkbox"/> MHA | Malicious Harassment | <input type="checkbox"/> WDE | Wrongful Death |
| <input type="checkbox"/> MSC2 | Miscellaneous – Civil | <input type="checkbox"/> WHC | Writ of Habeas Corpus |
| <input type="checkbox"/> MST2 | Minor Settlement – Civil (No Guardianship) | <input type="checkbox"/> WMW | Miscellaneous Writs |
| <input type="checkbox"/> PCC | Petition for Civil Commitment (Sexual Predator) | <input type="checkbox"/> WRM | Writ of Mandamus |
| <input type="checkbox"/> PFA | Property Fairness Act | <input type="checkbox"/> WRR | Writ of Restitution |
| <input checked="" type="checkbox"/> PIN | Personal Injury | <input type="checkbox"/> WRV | Writ of Review |
| <input type="checkbox"/> PRA | Public Records Act | <input type="checkbox"/> XRP | Extreme Risk Protection Order |

IF YOU CANNOT DETERMINE THE APPROPRIATE CATEGORY, PLEASE DESCRIBE THE CAUSE OF ACTION BELOW.

Please Note: Public information in court files and pleadings may be posted on a public Web site.

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Vancouver Police Department

605 E. Evergreen (360) 487-7400
 Vancouver, WA 98661 (360) 694-9646 (FAX)

Incident Report**Records Center**

707 W 13TH Street (360) 397-2211
 Vancouver, WA 98660 (360) 397-6074 (FAX)

Distribution
CMH+EXT DIST

Reporting Officer

Lear, Timothy

Approving Officer

Chylack, Michael

Ref Case Number

ReportID

ORIGINAL

PSN

1233

PSN

1185

Agency

VPD

Case Number

12-10799

init pDis sDis dEnt M.C. Concl Case F/U Ret Lett

Administrative Information

Location **12401 NE 44TH ST** City **VANCOUVER** State **WA** Zip Code **98684**

Local Geo State Geo Precinct **V EAST** Geo **V34**

Rep Date **07/06/2012** Rep Time **18:45** From Date **07/06/2012** From Time **18:45** To Date To Time Category Class Premise **RE**

Dom Viol DV Card Child Abuse Arson Homicide Gang Weapons Alcohol Drugs Computer

Offense Information

Off # **1** Offense **MENTAL.TRANSPORT** Offense Category **INFO**

Offense Translation **MENTAL SUBJECT/TRANSPORT** Attempted or Completed **C** Location Type **1STORY**

Individual

Role **X** Seq **1** Type **I** Last Name **LANG** First Name **HOLLY** Middle Name **LOUISE** Sex **F** Race **W**

Birthdate **/1977** Eth **N**

Age Low **34** Age High Hgt **506** Wgt **140** Hair **BRO** Eyes **BRO** Residence **P** Employment/Occupation **NONE**

Driver's License Number Driver's License Issuer **WA** Social Security No. State ID No. FBI No. PCN

Custody Status Gang Affiliation Tribe Affiliation Identifiers

Comments

Type **H** Location **12401 NE 44TH ST** City **VANCOUVER** State **WA** Zip Code **98684**

Exhibit # 3 Pg. # 1

Vancouver Police DepartmentCase No.
12-10799**Individual**

Role C	Seq 1	Type I	Last Name LANG	First Name JOANN	Middle Name	Sex F	Race W
Birthdate [REDACTED]/1955		Eth N					
Age Low 56	Age High	Hgt 505	Wgt 130	Hair BRO	Eyes BRO	Residence F	Employment/Occupation NONE
Driver's License Number		Driver's License Issuer		Social Security No. [REDACTED]		State ID No.	FBI No.
Custody Status		Gang Affiliation		Tribe Affiliation		Identifiers	
Comments							

Type H	Location 12401 NE 44TH ST	City VANCOUVER	State WA	Zip Code 98684
Type H	Phone No. (360) 256-3535			

Narrative**NARRATIVE:**

At the listed date and time I was sent to 12401 NE 44th St concerning a suicidal subject. Upon arrival I approached the subject, Holly Lang, who was sitting in the driveway with her mother, JoAnn Lang. Holly was very animated and was screaming very loudly that the demons in her head were going to make her do bad things. She started hitting herself in the head with her fists and she screamed the demons were going to get her, and she needed to get them out of her. She stated she would kill herself to get away. She was very agitated, and started screaming out unintelligibly.

JoAnn Lang stated Holly had been like this throughout the day today, and was not aware if she had taken her medication today. She had a prior history of mental health problems, and had been seen numerous times by different mental health providers. Today she had gotten really out of control and she hadn't been able to calm her down. She called 911 to get her to the hospital for help.

AMR transported Holly to SWMC where she was placed in Behavioral Health for treatment. I completed an Officer's Mental Health Contact Report concerning this incident and left it with hospital personnel.

DISPOSITION:

No additional action taken at this time. Report for information only.

I certify or declare under penalty of perjury under the law of the state of Washington, that to the best of my knowledge the attached report(s), documents, and information contained therein are true, correct, and accurate. (RCW 9A.72.085)



Vancouver Police Department

CASE NUMBER
GO 23 2017-3263

GENERAL OFFENSE

REPORTED DATE/TIME 02/03/2017 0001		OCCURRED DATE/TIME 02/03/2017 0001		REPORTING OFFICER/DEPUTY NAME & # PFISTER, JON (231140)	
LOCATION OF INCIDENT 12401 NE 44TH ST, VANCOUVER					PLACE
COUNTY CLARK	DISTRICT VP		BEAT 34		GRID
SEVERITY	FAMILY VIOLENCE No	GANG INVOLVEMENT		SPECIAL STUDY	
RELATED INCIDENT NUMBERS					
TOTAL LOSS		TOTAL RECOVERED		DAMAGED TOTAL	
TOTAL LOSS		TOTAL RECOVERED		DAMAGED TOTAL	
TOTAL LOSS		TOTAL RECOVERED		DAMAGED TOTAL	
TOTAL LOSS		TOTAL RECOVERED		DAMAGED TOTAL	
INTERNAL STATUS REFERRED - CITY ATTN OR PROSECUTING ATTN			APPROVED BY PFISTER, JON (231140)		APPROVED ON 03/08/2017
OFFENSES [1]					
OFFENSE CHILD ABUSE-NEGLECT			STATUTE	PREMISE TYPE RESIDENCE/HOME/APARTMENT	
PERSON - MENTIONED #2					
NAME (LAST, FIRST MIDDLE) LANG, JOANN NMI			SEX FEMALE	RACE WHITE	DOB '1955
HOME ADDRESS - STREET, CITY ZIP 12401 NE 44TH ST, VANCOUVER WA 98682			HEIGHT 5'05	WEIGHT 130	HAIR COLOR GRAY OR PARTIALLY GRAY
HOME PHONE (360) 256-3535			CELL PHONE	WORK PHONE	EMAIL ADDRESS
DRIVERS LICENSE (STATE) [REDACTED] (WA)			SOCIAL SECURITY NUMBER [REDACTED]	POB	
PERSON - MENTIONED #1					
NAME (LAST, FIRST MIDDLE) [REDACTED]			SEX [REDACTED]	RACE [REDACTED]	DOB [REDACTED]
HOME ADDRESS - STREET, CITY ZIP [REDACTED]			HEIGHT	WEIGHT	HAIR COLOR EYES
HOME PHONE			CELL PHONE	WORK PHONE	EMAIL ADDRESS
DRIVERS LICENSE (STATE)			SOCIAL SECURITY NUMBER	POB	

Exhibit #. 23 Pg. # 1

CHILD ABUSE-NEGLECT

Vancouver Police Department

CASE NUMBER
GO 23 2017-3263**FOLLOWUP REPORT #1**

ASSIGNED TO GOUDSCHAAL, DUSTIN (231453)		RANK OFFICER		
ORG UNIT CHILDREN'S JUSTICE CENTER		CAPACITY 1-INVESTIGATOR, LEAD		
ASSIGNED ON 03/08/2017	ASSIGNED BY PFISTER, JON	SUBMITTED ON 06/14/2017	APPROVED ON 06/16/2017	APPROVED BY PFISTER, JON
NARRATIVE				
AUTHOR GOUDSCHAAL, DUSTIN (231453)			DATE/TIME 03/29/2017 0746	
SUBJECT				

Narrative:

On 03/09/17 I received Child Protective Services (CPS) intake #3534736 for review and further investigation. I proceeded to review this intake and the following is a short summary of that intake but it is not verbatim nor may it be in chronological order. The intake is attached to this report for reference. The intake appeared to centered around contact between the following individuals but many persons are listed in the intake.

1. Lang, Joann - 1955 - [REDACTED]
2. [REDACTED] - [REDACTED] - [REDACTED]

CPS Intake #3534736 - 02/01/2017

The referrer for the intake is Holly Lang, an adult [REDACTED] of [REDACTED]. The referrer stated that [REDACTED] is kept in a room all day and night and that last week Joann stated "I hate that kid". The referrer indicated that [REDACTED] appeared malnourished with sunken eye, pale drooping skin and has lost a lot of weight. The referrer stated that [REDACTED] is only allowed to come out of his room infrequently to use the bathroom and is punished and screamed at if he has an accident in his room.

The referrer stated that [REDACTED] has been given his food in his room since September of 2016 and that the food differs from the rest of the family is given and is cheaper and lacking in proper nutrition. The referrer also expressed concerns that [REDACTED] is being overdosed on several medications to make him sleep and that Joann will take adoptive children to psychiatrists to get additional diagnosis for additional social security monies.

The intake also contains a "collateral referrer" who reported similar maltreatment as described above and stated that [REDACTED] has been told lately that he is going to a "respite home" in Alaska where the family has a pit bull to which [REDACTED] expressed a fear of pit bulls and Joann stated "to bad isn't it".

The collateral referrer in this case is Randon Lang a nineteen year old adult [REDACTED] who lives in the household.

End of Intake

By the time that this case was assigned, [REDACTED] and his brother had been removed from the residence by CPS and placed into foster care. On the date of case assignment, I also received a substantial amount of medical records from CPS. I made contact with Dr. Kim Copeland with the Child Abuse Assessment Team (CAAT) who informed me that she had obtained the same record and would be reviewing the contents. I took the entire contents of this record and scanned them into a portable document format (PDF). The records as they were provided to me were then placed into property as evidence in this case. Dr. Copeland also informed me that she would provide me with the medical record of her independent examination of [REDACTED] which took place on 03/07/17.

I then coordinated with CPS investigator Katie Gonzales to have [REDACTED] forensically interviewed. [REDACTED] was scheduled to participate in a forensic interview on 03/16/17 at 1030 hours with CJC forensic interviewer Kim Holland.

Exhibit # 3 Pg. # 2

Vancouver Police Department

The interview was conducted by Kim Holland as I monitored from an adjacent room. CPS investigator Katie Gonzales was also monitoring from this location. The interview was recorded (audio and video) The following is a short summary of that interview but it is not verbatim and may nor be in chronological order. For a complete record of the event, see the recording that was placed into property as evidence in this case.

Forensic Interview - [REDACTED] - CJC - 03/16/17

The interview begins at approximately 1050 hours with rapport building and the going over of the rules. [REDACTED] stated that he currently lived with his foster parents and with his real parents and that a few weeks prior some CPS workers and police officers had removed himself and his brother from his residence.

[REDACTED] stated that someone was "worried" about him and that he "did not go anywhere". [REDACTED] stated that he stayed in his room a great deal of the time but stated that this was not for punishment but because he chose to do so. [REDACTED] stated that there was a "gate" in front of his door and that this was to keep his younger brother out of the room. [REDACTED] said that he would have to be supervised to use the bathroom and would have to wait for his [REDACTED] to come to his room to allow him to use the bathroom. [REDACTED] indicated that he had to be supervised because "the dog and his brother had gotten hurt".

When asked what a normal day would be, [REDACTED] stated that he would get up and his [REDACTED] would give him his medication, breakfast and allow him to use the bathroom. [REDACTED] stated that he would do his school-work inside of his room most of the day and that he normally did this alone on his computer. [REDACTED] stated that he would have breakfast sandwiches, toast, cereal and other items and that he would eat this in his room. [REDACTED] stated that "sometimes" he felt hungry after eating breakfast. [REDACTED] stated that he would eat lunch (burritos, cheese sandwiches, left-overs) in his room and would have dinner at the table.

[REDACTED] stated that sometimes his [REDACTED] would forget that he needed to use the bathroom and he had previously had "accidents" in his bedroom because of this.

Interview Break - 1124 hours

The interview begins again at 1137 hours. [REDACTED] stated that he would "sometimes" get snacks at his parent's house. [REDACTED] then described his room which included his bed, desk and computer. [REDACTED] stated that the gate had been up in his room since he was about nine years of age and that the supervision rules came up about a year and half ago. [REDACTED] stated the prior to this he was allowed to use the bathroom without asking for permission. [REDACTED] stated that he would also have to ask permission to re-enter the residence when he was outside and one time he did not do this and got "spanked".

[REDACTED] stated that his chores at the residence consisted of taking out the recycling, cleaning the bathroom and folding towels and indicated that he did not have much contact with his [REDACTED]. [REDACTED] indicated that he was not allowed to leave his room without permission. [REDACTED] stated that this was because he had pinched his brother's fingers in the door and stepped on the dog. [REDACTED] stated that he did not try to leave his room but did not state why he did not.

[REDACTED] stated that he would not inform him [REDACTED] or [REDACTED] that he was still hungry after meals. [REDACTED] then spoke about punishment at the residence which included being "grounded" which meant he could not go to the "library for a month". [REDACTED] indicated that his [REDACTED] would do most of the discipline but that his [REDACTED] had spanked him a few times. [REDACTED] stated that his [REDACTED] would spank him with a plastic spoon on his exposed buttocks. [REDACTED] stated that sometimes he had been struck about the head with the spoon as well.

[REDACTED] stated that he would sometimes go outside and play with a neighbor friend.

[REDACTED] then talked about his daily routine with his current foster parents. [REDACTED] stated that he had gained "twenty pounds" since being with his foster parents and felt "pretty good" and feels like he "eats too much". [REDACTED] stated that he usually "felt good too" at his adoptive parents house. [REDACTED] stated that he felt "more tired" at his foster parents because of his new schedule. [REDACTED] stated that he was able to use the bathroom whenever he needed and would "just go".

End of Interview

On 03/17/17 I received a medical record from Dr. Kim Copeland in regards to her examination of [REDACTED] that took place on 03/07/17. This medical record was also placed into property as evidence in this case. The following is an excerpt from the portion of the report entitled "Medical Findings and Diagnoses". For the complete report see the record that was placed into Digital Traq as evidence in this case.

Medical Findings and Diagnoses

Exhibit # 1 Pg. # 3

Vancouver Police Department

CASE NUMBER
GO 23 2017-3263

"

After reviewing the medical records I proceeded, over the course of several weeks, to make contact with several of the persons listed in the CPS intake for interviews. I spoke with Holly Lang, the original referrer of the CPS intake, over the phone and she informed me that she was not comfortable with cooperating with a law enforcement investigation. I asked Katie Gonzales to speak with Holly Lang and inform her of the importance of the investigation and Katie informed me that she had spoken with Holly and that Holly again stated that she did not wish to cooperate with a law enforcement investigation. Katie provided me with contact information for other Lang family members and I determined that two of the members, Randon Lang and Wendy Lang (Rahn) may have had recent contact with [REDACTED] and could offer information in regards to this case. I attempted contact with both parties and found that the number for Randon was no longer in service and Wendy Lang did not return my phone calls (Wendy currently resides in Montana per CPS information).

I also received numerous emails from Katie Gonzales that appeared to be from other collateral parties who knew or may have contact with [REDACTED]. I determined that these contacts, while potentially important for background information to a CPS case, were not of any evidentiary value to this case.

Two weeks after I had left a voice-mail for Wendy Lang, I received a voice message from her stating that she had received my message and had been having issues with her phone. In the message, Wendy indicated that she wished to speak with me in regards to this case. On 05/23/17 I left another message with Wendy on the number I had previously contacted. I then received after hour messages from Wendy and attempted to contact her with negative results. I was able to determine that Wendy currently lives in Montana and I was not able to establish that she even lived at the residence during the time frame of the concerns with [REDACTED].

While it appeared that there was an initial concern by several family members about the status of [REDACTED], I have not been able to elicit any cooperation from those who were active in contacting and communicating with CPS.

On 06/13/17 I proceeded to the residence of Joann Lang and knocked on the front door. The door was answered by an adult female who identified herself as Joann. Joann would only speak with me through her locked screen door and advised that she would only speak with me with legal counsel present. I left my business card at the location and did not present Joann with any investigative questions.

While I am not a qualified medical expert, the medical records provided established that [REDACTED] had been seen numerous times by a medical professional and was given several diagnosis for medical conditions and was in treatment for these conditions. See the submitted medical records for further information.

This ended my involvement in this case. Any further involvement in this case by this officer will be documented in a supplemental report. See the submitted medical records and other evidence for further information. This case is being referred to the CJC prosecutor for review and/or charging.

Exhibit # 2 Pg. # 4